

Nottingham Roman Catholic  
**Diocesan Education Service**



**Plan for Catholic Schools  
in the  
Diocese of Nottingham  
(Part I)**

January 2017

## Prayer

God our Father,

be with us as we embark upon this important plan for all our schools in the  
Diocese of Nottingham.

Bless our creativity, our ideas and energy,

and guide us as we take these next steps along this path of renewal and  
development.

Do not allow us to stumble or to stray from the way you wish us to follow.

When we are confused or uncertain, direct us.

When we are weary, encourage us.

When we feel burned out, renew us with the inspiration of your Holy Spirit.

We thank you for the gifts and talents within our family of schools;

help us to use them responsibly and for the benefit of others,

so that we may grow in our sense of communion and mission within the diocese.

May all we seek to do be for the sake of the children and young people within our  
schools.

We make this prayer through Christ our Lord.

Amen.



## Contents

Prayer .....	2
1. Purpose .....	4
2. Introduction .....	4
3. Current Situation.....	7
4. Considerations .....	9
5. Background .....	9
6. What are Effective MATs?.....	10
7. Consultation Aspect 1: The Future Size of MATs.....	12
8. Consultation Aspect 2: Governance Structures .....	22
9. Consultation Aspect 3: The ‘Executive’ Function.....	29
10. The Role of the NRCDES .....	35
11. Implementation .....	36
12. Conclusion .....	38
Appendix 1 – The Mission of our new MATs .....	39
Appendix 2 – Recent Statements on Education.....	40
Appendix 3 – School Funding.....	41
Appendix 4 – Current MATs in the Diocese of Nottingham.....	43
Appendix 5 – Academies Sponsored by the NRCDES .....	45
Appendix 6 – Voluntary-Aided schools in the Diocese of Nottingham.....	46
Appendix 7 – ‘Academy Chains Unlocked’ Report (Reform).....	47
Appendix 8 – HMCI’s Monthly Commentary (October 2016).....	48
Appendix 9 - Analysis of Income and Expenditure in Academy Trusts, Academies and Schools in the Diocese of Nottingham (2014-15) .....	50
Appendix 10 - Proposed ‘Regional’ MAT Structure .....	53
Appendix 11 – Teaching Schools – the 6 Core Areas .....	54
Appendix 12 – Process and Costs of Amalgamating Catholic Academy Trusts in the Diocese of Nottingham .....	56
Appendix 13 – The Situation in Other Catholic Dioceses.....	61
References.....	61

## **I. Purpose**

This document has been produced at the request of Bishop Patrick McKinney and the Board of Directors of the Nottingham Roman Catholic Diocesan Education Service (NRCDES).

Its purpose is to outline a way forward for the schools in the Diocese of Nottingham based on the way in which the national education system will be changing over the coming years. It has been revised a number of times following meetings of the NRCDES Board of Directors, discussions with the Regional Schools Commissioner and the publication of new documents. It will continue to be updated periodically and Part 2 of the document is expected to be published in July 2017.

## **2. Introduction**

There are approximately 29,400 children and young people in the Catholic schools of the Diocese of Nottingham. It is vital that throughout all of our discussions and plans – the children and young people in our schools remain the absolute priority and that our proposals serve to ensure that they will continue to receive the very best educational opportunities and life fulfilling experiences, within communities which have the teachings of Christ and his Church at the very centre.

***The mission of schools is to develop a sense of truth, of what is good and beautiful.***

***And this occurs through a rich path made up of many ingredients.***

(Pope Francis – Address to Italian School Teachers – 10 May 2014)

At the outset of any major project such as this, it is also important to remind ourselves of the distinctiveness of Catholic education and its key purpose.

***Education must pay regard to the formation of the whole person, so that all may attain their eternal destiny and at the same time promote the common good of society. Children and young people are therefore to be cared for in such a way that their physical, moral and intellectual talents may develop in a harmonious manner, so that they may attain a greater sense of responsibility and the right use of freedom and be formed to take an active part in social life.***

(Code of Canon Law - 795)

***Christ is the foundation of the whole educational enterprise in a Catholic school.***

(The Catholic School, 1977 - 34)

***Catholic schools, which always strive to join their work of education with the explicit proclamation of the Gospel, are a most valuable resource for the evangelisation of culture.***

(Pope Francis - Evangelii Gaudium, 2013 - 134)

Catholic schools evangelise culture because they address the deepest questions about what it is to be human and live in society. They open pupils' minds to the transcendent dimension of life and the reality of God revealed in Jesus Christ. They teach a holistic understanding of the human person and society in which all are included so that humanity can flourish. The Catholic school

enables each pupil to develop their God-given gifts in order to engage in building a better society which is characterised by justice, truth and love.

The document *Christ at the Centre* cites four reasons why the Church provides Catholic schools:

- To assist in its mission of making Christ known to all people
- To assist parents, who are the primary educators of their children, in the education and religious formation of their children
- To be at the service of the local Church, the diocese, the parish and the Christian home
- To be of service to society

The core principles which underpin Catholic education are further exemplified in a document produced by the Diocese of Leeds in 2008 called, *Schools of Discipleship* and are reproduced below.

### **Catholic schools have Christ at their heart**

*Our schools are places where everyone is valued as a child of God, where every individual is enabled to mature towards their full growth in Christ and achieve their rightful potential. It is the Spirit of Christ who brings life to Catholic schools: giving strength and hope; promoting harmony and enabling reconciliation; ensuring that, with enthusiasm and celebration, the things of God always take first place.*

### **Catholic schools are distinctive**

*On the foundation of our Catholic faith we are able to establish a shared vision for our schools. This flows from the bishop's responsibility as the chief shepherd and teacher in the diocese and is facilitated through his appointed representatives. The school community will be anchored in the principles which flow from the gospel by which we live. The school, through its clear and visual, Catholic identity will be for many people the place where Christ and his Church are encountered. As such, Catholic schools are evangelising communities.*

### **Catholic schools have a liturgical, sacramental and spiritual life**

*As a community of faith, every Catholic school is also a worshipping community. The Eucharist is the Church's central act of worship and is the nucleus of the school's life of faith. Classroom prayer, year and whole-school liturgies are key to the distinctive spiritual identity of Catholic schools.*

### **Catholic schools are centres of excellence for Religious Education and the wider curriculum**

*In a Catholic school, the entire curriculum is underpinned by, and expresses, Catholic beliefs and values. It is vital that an understanding and knowledge of the Catholic faith permeates all aspects of school life. This will ensure an appreciation of, and respect for, other religious traditions. Religious Education is a core subject in Catholic schools as demonstrated by the priority given to it within the school timetable. Promoting excellence in the quality of teaching and learning in Religious Education is of paramount importance.*

### **Catholic schools are collaborative**

*Catholic schools actively promote strong and positive links with the wider community. Given that parents are the primary educators of their children, links between the home, the school and the parish are particularly significant. Good communication is fostered so that all relationships in the school community and beyond are based on mutual respect and honesty. Working in partnerships and local clusters which*

*benefit the schools is encouraged and facilitates an outward looking school. Faith is put into practice through charitable works and loving service to others. The school's Catholic identity requires that it fulfils the gospel imperative to see and seek Christ in others.*

### **Catholic schools are essential**

*Catholic schools are central to local faith communities. They actively promote social cohesion, engendering a sense of belonging for all, through the articulation of a common vision. The diversity and uniqueness of people's backgrounds and circumstances is appreciated and all children are given opportunities to succeed. Catholic schools are places where every child matters and where safety, well-being, enjoyment, tolerance, respect and dignity are reflected in all aspects of school life. Pupils are cherished for who they are, as much as for what they achieve, and all achievement is recognised and celebrated.*

Before considering in detail the various aspects of the consultation, it is necessary to set the principles outlined above as the foundation for any new multi-academy trust structure within the diocese. The entire reason for setting out on this journey of change is to ensure that the Catholic education system in the Diocese of Nottingham is secured, protected and developed further for future generations of children and young people. Our decisions and actions must place the children and young people in our schools at the very centre. Our structures must enable high quality teaching to continue and flourish so that every child who attends one of our schools receives the best possible Catholic education. Based on the current educational climate, it is believed that if all diocesan schools are part of a large Catholic multi-academy trust, that mission will be strengthened, school to school support will be enhanced and provision will be improved further. A Catholic multi-academy trust model where every school has its place will mean that no individual school will be left isolated or vulnerable in this rapidly changing environment.

### **Catholic education is not reserved to Catholics only but is open to all those who appreciate its qualified educational project.**

(The Catholic School on the Threshold of the Third Millennium, 1997 – 16)

The Catholic schools in our diocese are rich, diverse communities. In many cases, parents who may not be of the Catholic faith choose to send their children there. It is a great privilege for us to be able to offer this excellent education to those families which seek it and to continue to do so in the future.

Once decisions have been made about our new structures, the preparatory work must include a range of events centred around formulating a shared sense of mission and purpose for our new Catholic multi-academy trusts. Appendix I contains some extracts from a document produced by the Diocese of Clifton which was aimed at developing collaboration within schools. This could be used as a basis for a 'Catholic schools' supplement' to the *Characteristics of Successful Multi-Academy Trusts* document produced by Sir David Carter.

### 3. Current Situation

This past year has been defined by some as possibly one of the most momentous years in the world of education since the 1944 Education Act. The government's White Paper, *Educational Excellence Everywhere* published in March 2016 set out its commitment to a fully 'academised' system by 2020. Since then, a great deal has happened including both a change of Prime Minister and Secretary of State for Education. Despite this, it remains government policy that the majority of schools in this country should become academies over the coming years. Whilst recent statements have perhaps sought to withdraw the mandatory nature of this, all the legislative elements necessary are in place for it to happen. In a meeting of the Education Committee (30 November 2016), Lord Nash (Parliamentary Under-Secretary of State for the School System) repeated the government's ambition that all schools will become academies over time and that it is unrealistic for the 'mixed economy' of maintained schools and academies to exist beyond the next five to six years (Appendix 2). The dangers of schools remaining alone are also highlighted by Hill (Appendix 2).

The way in which schools are funded will change. Proposals regarding the National Funding Formula were delayed but stage 2 of the consultation process opened in December 2016 (Appendix 3). Coupled with this is the proposed removal of funding to local authorities for them to carry out a school improvement role. It is clear that many schools are already facing financial difficulties particularly in terms of staffing costs with increases in both employer pension and National Insurance contributions. It is unlikely that the National Funding Formula, once introduced from 2018-19, will make a significant difference to this situation. A report published by the National Audit Office, *Financial Sustainability of Schools* (14 December 2016) states that:

***The DfE expects schools to make significant savings in spending on workforce and procurement. In total, it estimates that mainstream schools will have to make economies or efficiency savings of £3.0 billion by 2019-20 to counteract cost pressures (excluding the impact of policy changes). This equates to an 8.0% real-terms reduction in per-pupil funding between 2014-15 and 2019-20 due to cost pressures.***

It will therefore be essential that schools begin to consider ways of achieving greater financial efficiencies over the coming years.

The Education and Adoption Act 2016 and subsequent *Memorandum of Understanding between the Catholic Church and the Department for Education* (April 2016) both highlight the power of the Regional Schools Commissioner to intervene directly into any underperforming school or multi-academy trust. In the case of Catholic schools, the nature of this intervention and the associated protocols are outlined in the Memorandum. Essentially, it means that where there is a concern over a Catholic school or multi-academy trust, the Regional Schools Commissioner will discuss this with the Diocesan Schools Commissioner and will ask that an appropriate 'solution' is presented for approval.

Throughout this process of change, the first duty of the diocese must be to protect, secure and develop Catholic education within the governmental system that it finds itself. As the government proposes educational reform, the Church's task is to find the best way to continue her mission in Catholic schools. The Church has always attached great importance to its role in education and

tasks those of us who work in Catholic education with the huge responsibility of ensuring that our schools are as ‘academically distinguished as others’.

***Directors of Catholic schools are to take care under the watchfulness of the local ordinary that the instruction which is given in them is at least as academically distinguished as that in the other schools of the area.***

(Code of Canon Law - 806 §2)

The authority of the bishop to make decisions regarding the organisation and governance of Catholic schools is made clear in the Code of Canon Law and these principles are also recognised under civil law.

***The diocesan bishop has the right to watch over and inspect the Catholic schools in his territory...and has the right to issue directives concerning the general regulation of Catholic schools.***

(Code of Canon Law - 806 §1)

There are 89 schools altogether in the Diocese of Nottingham (4 of these are independent). Of the 85 maintained schools, 69 are primary and 16 are secondary. The diocese covers a very wide geographical area which comprises the counties of Nottingham, Derby, Leicester, Lincoln and Rutland; except the District of Bassetlaw, Nottinghamshire and the area around Chesterfield, Derbyshire. This is a total of 12 ‘local authority’ areas.

The Diocese of Nottingham was among the first Catholic dioceses in England to allow ‘outstanding’ and ‘good’ schools to convert to academy status as part of multi-academy trusts (MATs), if they wished, following the Academies Act 2010. Schools were arranged into groups or ‘families’ which normally resulted in a group of primary schools joining with their local ‘feeder’ secondary school. There are, at present 11 MATs in the Diocese of Nottingham (Appendix 4). All but one of these contain 1 secondary school with a group of primary schools.

In addition to these, there are also currently 5 academies which are sponsored directly by the NRCDES (3 primary and 2 secondary schools) and 2 (primary schools) which are sponsored by an existing MAT (Appendix 5).

This leaves a total of 27 schools (23 primary and 4 secondary) which remain voluntary-aided. (Appendix 6).

	<i>Voluntary-Aided Schools</i>	<i>Academy Converters</i>	<i>Sponsored Academies</i>
Primary	23	41	5
Secondary	4	10	2
Total	27	51	7

*Table 1: Current composition of schools within the Diocese of Nottingham*

This is a very important point for NRCDES Directors to consider; 68% of diocesan schools are already academies. It is a different situation in a number of other Catholic dioceses in England.



## 4. Considerations

Based on the information above, there are a number of areas which require very careful consideration and which will inform our proposed strategy. **The ultimate aim of our entire strategy must be to protect and secure Catholic education in the Diocese of Nottingham for the long-term.**

This then leads to a series of questions which need to be answered within a proposed strategy:

- How do we ensure that no Catholic school is left vulnerable should it encounter difficulties? In the case of our voluntary-aided schools, what happens once the local authority is no longer able to provide support? For schools within MATs, what happens if the MAT is not able to provide the level of support which is judged to be required by the Regional Schools Commissioner?
- How do we ensure that our MATs are financially viable for the long-term and able to make the most efficient use of financial resources? We may also need to begin to consider the possibility of MATs being funded as a collective rather than individual schools. This has already been cited in a report published by the Reform Group (Appendix 7).
- How do we ensure that our MATs are able to meet the increasing demands over accountability through robust governance structures and that they will be free from external scrutiny and direct intervention from the Regional Schools Commissioner? This includes a strong focus on school improvement and the provision of school to school support in order to drive further improvements to standards overall.
- How do we ensure that our Catholic schools will continue to be led by highly skilled, dedicated leaders in the future bearing in mind the difficulties already being encountered over senior leadership appointments?

## 5. Background

Following the publication of the government's White Paper, the Regional Schools Commissioner for the East Midlands and Humber region, Jennifer Bexon-Smith was invited to address headteachers, chairs of trusts and chairs of governors in the Diocese of Nottingham. The meeting took place at the Diocesan Centre on 24 May 2016. Following this, additional regional meetings were held in different areas of the diocese. There were three main areas of discussion:

- The future size of MATs
- Governance structures
- The 'executive' function within MATs

The feedback received from these meetings was circulated to headteachers, chairs of trusts and chairs of governors in a document entitled, *Towards a Strategic Plan for Catholic Schools in the Diocese of Nottingham* on 12 September 2016.

In order to prepare this paper, the Director of Education has visited a number of MATs, has reviewed a range of documents and literature on the subject of MATs, has worked with a number of Directors from other Catholic dioceses and is also part of the CES working party on academies.

## 6. What are Effective MATs?

Since the introduction of Regional Schools Commissioners and now more recently, the National Schools Commissioner, there has been great discussion over what constitutes an effective MAT. Certainly, it has been made clear from the Regional Schools Commissioner that the requirements which are sought prior to any new creation of a MAT are very different to those used in the past.

One of the main documents which seeks to ‘define’ these characteristics of effective MATs is written by Sir David Carter, *Characteristics of Successful Multi-Academy Trusts*. The document refers to 9 steps with additional criteria for overall self-assessment. Whilst, we as a Catholic community would also wish to add further elements to this in terms of the Catholic mission of our MATs, it is nonetheless an important document and one which seems to be used as a reference tool by many headteacher boards working with Regional Schools Commissioners.

<b>1</b>	There is a well communicated strategic vision and plan that moves seamlessly from implementation into impact. The school improvement plan can only be delivered through support from the trust and the trust priorities can only be delivered through the academies.
<b>2</b>	There is a clear accountability framework for the performance of the trust that all staff understand, including what happens when key staff underperform.
<b>3</b>	There are clear quality assurance systems in place to improve consistency and performance.
<b>4</b>	There is a clear delegated framework for governance at trust board and local governing body level that makes the responsibilities of both the board and any local governing body explicit.
<b>5</b>	There is a trust-wide school improvement strategy that recognises the different interventions needed at different stages of the school improvement journey that a school undertakes.
<b>6</b>	There is a systematic programme of school to school support that is focused on the need of individual academies.
<b>7</b>	There is evidence of skilled management of trust risk indicators.
<b>8</b>	There is a clear succession plan for the key posts within the MAT (CEO, Director of Finance, HR, Chair of Board, members, directors, principals and vice principals.)
<b>9</b>	There is a trust wide commitment to making a contribution to local, regional and national educational networks beyond the MAT.
<b>Overall</b>	There is clear evidence that the outcomes for young people who are educated within the MAT are exceeding previous performance and national expectations.

Table 2 - *Characteristics of Successful Multi-Academy Trusts (Sir David Carter)*

In his monthly commentary for October 2016, Sir Michael Wilshaw identified some common characteristics of ‘high performing MATs’.

- An ability to recruit and retain powerful and authoritative executive leaders, with a clear vision for bringing about higher standards.

- A well-planned, broad and balanced curriculum that equips pupils with a strong command of the basics of English and mathematics, as well as the confidence, ambition and team-work skills to succeed in later life.
- A commitment to provide a high-quality education for all pupils, in a calm and scholarly atmosphere.
- Investment in professional development of teachers and the sharing of knowledge and expertise across a strong network of constituent schools.
- A high priority given to initial teacher training and leadership development to secure a pipeline of future talent.
- Clear frameworks of governance, accountability and delegation.
- Effective use of assessment information to identify, escalate and tackle problems quickly.
- A cautious and considered approach to expansion.

The full text from this commentary can be found in Appendix 8.

In light of considering proposed ‘expansion’ of our diocesan MATs, it will be vital that plans demonstrate clear accountability structures and robust systems for school improvement if they are to be approved by the Regional Schools Commissioner.

A further document *Multi-Academy Trusts: Good Practice Guidance and Expectations for Growth* was published by the DfE in December 2016. This will also be referred to within this paper.

## 7. Consultation Aspect I: The Future Size of MATs

This section looks at what constitutes an effective multi-academy trust and how, in future, Regional Schools Commissioners will make decisions regarding the creation of new multi-academy trusts and the expansion of existing ones. Using a figure devised by the National Schools Commissioner, a model based on 4 large regional multi-academy trusts for the Diocese of Nottingham is presented.

There continues to be great discussion at national level about the ‘optimum’ size of a MAT. Recently, there have been changes to the way in which this is defined with a move away from the total number of schools within a MAT to the total number of pupils.

In his ‘National Schools Commissioner Roadshows’ held in June and July 2016, Sir David Carter suggested that the current MAT system will need to grow over the next few years. He presented 4 possible categories of MAT:

<i>Starter Trusts</i>	5 – 6 schools (single region)	1,000 – 1,200 children
<i>Established Trusts</i>	5 – 15 schools (single region)	1,200 – 5,000 children
<i>National Trusts</i>	15 – 30 schools (more than 1 region)	10,000 – 12,000 children
<i>System Trusts</i>	30 + schools (more than 1 region)	12,000 + children

Table 3: Categories of MAT – Sir David Carter

He went on to say that MATs seeking to expand will need to go through a ‘growth readiness audit’ which will focus on the following areas:

<i>Standards and Track Record of Improving Schools</i>	<ul style="list-style-type: none"> <li>• Performance of the academies over time</li> <li>• Response of the trust to under-performance</li> </ul>
<i>People and Leadership</i>	<ul style="list-style-type: none"> <li>• Internal capacity to create regional hubs</li> <li>• Finance and HR capacity</li> <li>• School to school support</li> </ul>
<i>Governance</i>	<ul style="list-style-type: none"> <li>• Board capacity and strength</li> <li>• Accountability model</li> <li>• Regional governance models</li> </ul>
<i>Financial Sustainability</i>	<ul style="list-style-type: none"> <li>• Financial health</li> <li>• Medium – long term planning</li> </ul>
<i>Risk Management</i>	<ul style="list-style-type: none"> <li>• Mitigation strategy</li> <li>• Monitoring</li> <li>• Depth of risk awareness across the trust</li> </ul>

Table 4: The Growth Readiness Audit – Sir David Carter

In a previous paper, *The leadership challenges we face if we are to create a world class education system* (March 2016), Sir David Carter presented an average ‘per pupil’ funding figure of £4530 in order to carry out financial modelling based on total income and potential ‘top-slicing’ to pay for central services within a MAT.

The table below shows the present composition of MATs within the Diocese of Nottingham. It uses pupil numbers submitted to the NRCDES for the 2015-16 schools' contribution scheme and uses the 'average per pupil funding figure' quoted by Sir David Carter.

<b>MAT</b>	<b>No. Primary Schools</b>	<b>No. Secondary Schools</b>	<b>Approx No. of Pupils</b>	<b>Estimated Total Income</b>	<b>Estimated 5% Top Slice</b>
South Nottingham	4	1	2,167	£9,816,510	£490,825
St Barnabas	3	1	2,008	£9,096,240	£454,812
Aquinas	5	1	2,334	£10,573,020	£528,651
Holy Family	1	1	1,715	£7,768,950	£388,447
Pax Christi	4	1	1,725	£7,814,250	£390,712
St Gilbert of Sempringham	5	1	1,460	£6,613,800	£330,690
Northern Lincolnshire	6	1	2,249	£10,187,970	£509,398
St Robert Lawrence	3	1	1,272	£5,762,160	£288,108
Blessed Cyprian Tansi	5	1	2,223	£10,070,190	£503,509
Corpus Christi	5	0	1,378	£6,242,340	£312,117
St Dominic	1	1	681	£3,084,930	£154,246

*Table 5: Current MATs in the Diocese of Nottingham – Pupil Numbers, Income and 5% Top Slice*

The following observations can be made:

- All but one of our MATs contains only one secondary school; throughout the consultation process, the possibility of having more than one secondary school in a MAT was seen as a positive step.
- Our MATs are relatively small in terms of pupil numbers. There are some MATs which would certainly not be sustainable in the long-term.
- It is questionable as to whether or not any of our existing MATs could sustain even the 'essential' posts required for an Executive Team within a MAT.
- None of our MATs would currently qualify for a 'formulaic allocation' from the Condition Improvement Fund. Trusts of over 3,000 pupils receive individual capital allocations to undertake maintenance and improvement works to their academies. As custodians of our buildings, we must also ensure that we exercise careful stewardship of our property in order to provide good quality accommodation for future generations of pupils in our schools.

Further work has been carried out on the finances of all the schools in the Diocese of Nottingham using information available on the 'DfE Performance Tables' website. The latest set of published figures are for the 2014-15 academic year. (Appendix 9).

In formulating the proposals, the following 'guiding principles' have been used:

- Where groups of schools have already formed MATs, these groupings have remained the same. However, where a school feels that it would be beneficial to be in a different MAT to the one which is assigned, a case may be presented to the NRCDES Board of Directors, whose decision will be final.
- No new MAT would contain only one secondary school.

- MATs of more than 3,000 pupils are preferable in order to qualify for capital funding from the Condition Improvement Fund.
- With the approval of the Regional Schools Commissioner, academies which are currently sponsored directly by the NRCDES should be placed back into their regional MAT once they are able to demonstrate sustained performance (please see note below).
- Schools which are currently voluntary-aided should be informed of their 'regional' MAT and should convert to academy status (subject to the approval of the Regional Schools Commissioner) in accordance with the diocesan timeline. In this way, they would be able to make a contribution towards the establishment of the new MAT.
- All MATs within the Diocese of Nottingham are equally concerned about the quality of education provided to each and every child in each of our schools. As such, there will be no 'lead school' within any MAT. The intention must always be to provide the level of support that each school requires at each particular time. We should also be mindful of the fact that every school is a 'giver' and 'receiver' of support. A school which requires support today will be a school that in years to come will provide support to another. All schools (regardless of their latest Ofsted judgement) will have something to offer to the wider Catholic schools' community.

### *Sponsored Academies*

The designation of a 'sponsored academy' can only be changed by the Regional Schools Commissioner following a request from the Diocesan Schools Commissioner. A number of factors would be considered including the school's current and historic data, Ofsted grade etc. However, in the arrangements described below, the NRCDES will support all sponsored academies to play a full and active part in the life of the regional MAT. Discussions regarding top slicing arrangements will take place at individual academy level and in the case of academies sponsored directly by the NRCDES, all arrangements must be approved by the NRCDES Board of Directors.

### *Geography*

The geography of the Diocese of Nottingham presents challenges when forming new groups of MATs and this has been discussed at length with the Regional Schools Commissioner. The issue will be having to balance the risks associated with a very small MAT which may be unsustainable with the actual geography of a MAT being extremely large (geographically) resulting in schools being spread across a very large area. For this reason, there will need to be local 'hubs' of schools situated within a larger MAT – this would be particularly appropriate for some of our diocesan primary schools which in some cases are at some distance from other Catholic schools. The intention is that there should always be at least one other school to enable collaboration and to prevent a sense of isolation. However, all schools, regardless of their geographical position can still benefit from the financial savings of being part of a large MAT and also the more 'localised' knowledge of schools' individual contexts and issues. The sense of 'geographical isolation' should be less apparent with greater opportunities to take part in regional MAT events rather than the majority of diocesan training and meetings being located in one or two main locations.

***There is no ‘right’ geographical spread or upper limit of distance or travel time between schools that determines whether a MAT will be successful or not. Nevertheless, experience shows that the geographical isolation of schools within a trust should be avoided. (p.22)***  
(Multi-Academy Trusts – Good Practice Guidance and Expectations for Growth)

There are some cases where schools of the Diocese of Nottingham are close to other diocesan boundaries. The issue of schools from one diocese joining MATs composed of schools from other dioceses is beginning to be discussed at national level. However, at the time of writing there are no formal arrangements in place. For schools in the Diocese of Nottingham, formal approval must be obtained from the Bishop of Nottingham prior to any discussions taking place with another diocese.

Many of the other Catholic dioceses in England which already have academies are also now beginning discussions on the possible expansion of MATs. Appendix 13 of this paper summarises these developments to date.

### **Proposals for the Future size of MATs:**

To divide the Diocese of Nottingham into four large ‘regions’:

- Derbyshire/Staffordshire (to include Stockport)
- Leicestershire
- Lincolnshire
- Nottinghamshire

Whilst, for the time being, the MATs will be referred to with a ‘geographical’ description, each new MAT should be named after a saint of the Church with a connection to education.

The pages which follow propose the four large regional MATs and also include information on schools’ current Ofsted grading and numbers of pupils on roll. Data for the current number of pupils on roll was taken from the 2015-16 schools’ contribution list.

Throughout this section, the following key is used:

#### **Key:**

Primary School (Academy)

Secondary School (Academy)

Sponsored Academy

Voluntary-Aided School

Derbyshire/Staffordshire (to include Stockport)

The current St Robert Lawrence and Holy Family Trusts could combine at present and could also be the basis for a larger MAT taking in the remaining Derbyshire, Staffordshire schools and the Stockport school.

The Derbyshire/Staffordshire area of the Diocese of Nottingham currently has the highest number of voluntary-aided schools.

The schools in the Derbyshire High Peak and Stockport areas of the diocese are as follows:

**High Peak including NRCDES Sponsored Academy (St Philip Howard)/Stockport**

School	Ofsted		No.
	Date	Grade	
St Anne's, Buxton	06.05.15	3	312
St Margaret's, Gamesley	28.09.16	2	43
All Saints', Glossop	28.09.16	2	89
St Mary's, Glossop	06.03.14	2	153
St Charles', Hadfield	01.05.14	2	203
St Mary's, New Mills	24.09.13	2	106
St Thomas More, Buxton	16.05.13	2	398
St Mary's, Marple Bridge	26.02.09	1	212
St Philip Howard, Glossop	04.11.14	4	481
<b>Estimated Total Pupils</b>			<b>1,997</b>
<b>Estimated Total Income</b>			<b>£9,046,410</b>
<b>Estimated 5% Top Slice</b>			<b>£452,320</b>

	Schools	Pupils
Primary	7	1,118
Secondary	2	879
	9	1,997

Looking at the relatively low pupil numbers, it is difficult to see the Regional Schools Commissioner allowing these schools to form a MAT and even if this did happen, it would be the same size as some of our present MATs which we are now trying to expand. It will therefore be necessary to place these schools into the Derbyshire/Staffordshire (and Stockport) MAT.



### Derbyshire/Staffordshire (Stockport)

Current St Robert Lawrence & Holy Family Trusts plus additional Derby City, Derbyshire, High Peak, Stockport and Staffordshire schools plus NRCDES Sponsored Academies (St John Fisher, St Edward's, St Philip Howard)

School	Ofsted		No.
	Date	Grade	
English Martyrs", Long Eaton	29.04.08	1	279
The Priory, Eastwood	21.10.14	2	205
St Joseph's, Matlock	03.06.15	4	176
St John Houghton, Ilkeston	05.06.13	2	612
St George's, Derby	15.03.13	2	347
St Benedict, Derby	22.11.12	2	1,368
St Thomas', Ilkeston	22.05.13	2	247
St Alban's, Derby	25.09.13	2	335
St Joseph's, Derby	26.05.16	2	353
St Mary's, Derby	17.01.13	2	373
Christ the King, Alfreton	03.06.15	2	213
St Elizabeth's, Belper	14.10.14	1	216
Holy Rosary, Burton	21.09.11	1	253
Blessed Robert Sutton, Burton	18.10.16	3	714
St John Fisher, Derby	13.05.14	2	193
St Edward's, Swadlincote	12.05.15	4	206
St Anne's, Buxton	06.05.15	3	312
St Margaret's, Gamesley	28.09.16	2	43
All Saints', Glossop	28.09.16	2	89
St Mary's, Glossop	06.03.14	2	153
St Charles', Hadfield	01.05.14	2	203
St Mary's, New Mills	24.09.13	2	106
St Thomas More, Buxton	16.05.13	2	398
St Mary's, Marple Bridge	26.02.09	1	212
St Philip Howard, Glossop	04.11.14	4	481
<b>Estimated Total Pupils</b>			<b>8,087</b>
<b>Estimated Total Income</b>			<b>£36,634,110</b>
<b>Estimated 5% Top Slice</b>			<b>£1,831,705</b>

	Schools	Pupils
Primary	20	4,514
Secondary	5	3,573
	25	8,087

Leicestershire

The Leicestershire MAT would be as follows:

**Leicestershire**

**Current Corpus Christi Trust plus additional Leicester City schools, Blessed Cyprian Tansi & St Dominic's Trusts, plus additional Leicestershire schools**

School	Ofsted		No.
	Date	Grade	
Sacred Heart, Leicester	05.11.14	2	430
St Joseph's, Leicester	02.07.14	2	264
St Thomas More, Leicester	30.10.08	1	281
St Joseph's, Market Harborough	01.03.16	2	193
St John Fisher, Wigston	21.06.16	2	210
Christ the King, Leicester	13.11.14	1	352
Holy Cross, Leicester	19.05.16	3	215
St Patrick's, Leicester	14.01.15	2	208
English Martyrs', Leicester	13.05.14	2	1,072
St Paul's, Leicester	15.12.15	3	1,069
St Peter's Hinckley	16.05.13	2	207
St Martin's, Stoke Golding	12.02.15	2	474
St Peter's, Earl Shilton	24.11.16	2	214
Bishop Ellis, Leicester	28.06.12	2	349
St Francis, Melton Mowbray	24.03.15	3	258
St Charles', Measham	11.09.13	2	121
St Clare's, Coalville	18.04.13	2	203
Sacred Heart, Loughborough	18.05.16	2	206
St Mary's, Loughborough	03.10.12	2	192
St Winefride's, Shepshed	04.05.16	2	179
Holy Cross, Whitwick	04.04.16	2	184
De Lisle, Loughborough	11.12.13	2	1,259
<b>Estimated Total Pupils</b>			<b>8,140</b>
<b>Estimated Total Income</b>			<b>£36,874,200</b>
<b>Estimated 5% Top Slice</b>			<b>£1,843,710</b>

	Schools	Pupils
Primary	18	4,266
Secondary	4	3,874
	22	8,140

## Lincolnshire

The Lincolnshire region of the diocese creates a number of challenges in terms of geography. Realistically, it makes sense to combine the current Northern Lincolnshire and St Gilbert of Sempringham Trusts in terms of viability; however, the distances between the schools are large. The need for local 'hubs' would be particularly suitable here. (Please see the section above on geography).

### Lincolnshire

**Present Northern Lincolnshire & St Gilbert of Sempringham Trusts, additional Lincolnshire schools plus NRCDES Sponsored Academy (Holy Family)**

School	Ofsted		No.
	Date	Grade	
St Augustine Webster, S'thorpe	12.07.16	2	472
St Bernadette's, Scunthorpe	05.03.13	1	330
St Norbert's, Crowle	25.02.15	2	120
St Joseph's, Cleethorpes	05.06.13	2	191
St Mary's, Grimsby	14.10.15	3	244
St Mary's, Brigg	06.03.13	2	194
St Bede's, Scunthorpe	19.05.16	2	698
Holy Family, Cleethorpes	24.06.15	2	263
English Martyrs', Oakham	14.06.16	2	120
St Augustine's, Stamford	26.02.15	2	140
Our Lady of Lincoln, Lincoln	06.07.16	2	206
St Hugh's, Lincoln	26.02.13	1	269
Our Lady of GC, Sleaford	03.03.16	2	169
St Peter & St Paul, Lincoln	24.03.15	3	556
St Mary's, Boston	15.03.12	2	208
St Mary's, Grantham	07.11.12	2	215
St Norbert's, Spalding	08.07.15	1	207
<b>Estimated Total Pupils</b>			<b>4,602</b>
<b>Estimated Total Income</b>			<b>£20,847,060</b>
<b>Estimated 5% Top Slice</b>			<b>£1,042,353</b>

	Schools	Pupils
Primary	14	3,085
Secondary	3	1,517
Total	17	4,602

Nottinghamshire

The 'Nottinghamshire' MAT would be as follows:

**Nottinghamshire**  
**Current South Nottingham, St Barnabas, Pax Christi and Aquinas Trusts plus NRCDES**  
**Sponsored Academy (St Augustine's)**

School	Ofsted		No.
	Date	Grade	
Bl Robert Widmerpool, Clifton	13.12.07	1	262
Our Lady & St Edward's, Nott'm	31.01.12	2	207
St Patrick's, Wilford	04.05.16	2	232
St Edmund Campion, WB	17.06.15	2	401
The Becket, WB	10.10.12	2	1,065
St Teresa's, Aspley	02.02.16	1	428
Our Lady of PS, Bulwell	10.03.16	2	211
St Mary's, Hyson Green	27.03.07	1	270
The Trinity, Nottingham	22.10.08	1	1,099
St Augustine's, Nottingham	21.05.14	2	312
Holy Cross, Hucknall	11.11.12	2	226
Good Shepherd, Arnold	07.10.14	2	385
Sacred Heart, Carlton	14.11.08	1	204
St Margaret Clitherow, B'wood	22.11.12	2	200
Christ the King, Arnold	22.09.10	2	710
Holy Trinity, Newark	26.04.12	2	262
St Patrick's, Mansfield	22.05.13	2	211
St Joseph's, Langwith Junction	14.11.12	2	193
St Joseph's, New Ollerton	17.10.12	2	203
St Philip Neri, Mansfield	02.10.12	2	425
All Saints', Mansfield	14.03.12	2	1,040
<b>Estimated Total Pupils</b>	<b>8,546</b>		
<b>Estimated Total Income</b>	<b>£38,713,380</b>		
<b>Estimated 5% Top Slice</b>	<b>£1,935,669</b>		

	Schools	Pupils
Primary	17	4,632
Secondary	4	3,914
Total	21	8,546

Overview – the four Diocesan MATs

	<b>(Derbyshire/Staffs)</b>		<b>(Leicestershire)</b>		<b>(Lincolnshire)</b>		<b>(Nottinghamshire)</b>	
<i>Primary</i>	20	4,514	18	4,266	14	3,085	17	4,632
<i>Secondary</i>	5	3,573	4	3,874	3	1,517	4	3,914
<i>Total</i>	25	8,087	22	8,140	17	4,602	21	8,546
<i>Approximate Income</i>	£36,634,110		£36,874,200		£20,847,060		£38,713,380	
<i>Approximate Top Slice</i>	£1,831,705		£1,843,710		£1,042,353		£1,935,669	

Further financial information using 2014-15 figures can be found in Appendix 10.

The Lincolnshire MAT will still be significantly smaller in terms of both number of schools and pupils on roll however, in all cases, each MAT can generate an approximate top slice of over £1million.

**Additional Proposals:**

- Each MAT should be named after a Saint of the Church, with a connection to education.
- Events should take place to focus on the schools’ shared sense of Catholic mission from the very earliest opportunity.

## **8. Consultation Aspect 2: Governance Structures**

*This section draws on a range of sources to present the revised requirements regarding the governance of multi-academy trusts and presents proposals which should be applied to the multi-academy trusts in the Diocese of Nottingham.*

It has been made clear by the Regional Schools Commissioner that our present MAT governance arrangements are no longer fit for purpose and that they must be addressed as a matter of urgency. Recently, a number of organisations, including the DfE itself have produced further guidance on what constitutes effective governance in MATs. This should now be used to inform a comprehensive review of our own governance arrangements.

***Effective governance is crucial to MAT success.***

***It provides confident, strategic leadership to MATs and creates robust accountability, oversight and assurance for their educational and financial performance. (p.19)***

***Get governance right from the outset. Recruit trustees (directors) for their skills and then ensure they govern in the best interest of the MAT as one organisation. (p.11)***  
(Multi-Academy Trusts – Good Practice Guidance and Expectations for Growth)

One of the issues with our present MATs in the Diocese of Nottingham is that they have evolved in many different ways over the past five years. Whilst some MATs have taken on the notion of working as part of a MAT and recognise the fundamental differences, this is inconsistent with some still seeing themselves as a group of individual schools working under an ‘umbrella’ of a trust. In these cases, there has been very little change in terms of governance structures from when the schools were voluntary-aided other than the additional ‘layer’ of governance at board level. This can result in a lack of clarity about roles and in some cases, a duplication of tasks.

It is essential, going forward, that the differences between operating as a MAT and being a voluntary-aided school are clarified through rigorous and regular training programmes for directors and governors.

***Some MATs have made the mistake of trying to transfer both the governance arrangements and the personnel for maintained schools into a MAT context. That doesn’t work because MATs operate on the basis of layered governance with strategic governance, accountability and oversight being exercised by the MAT board and local governing bodies or academy councils having a narrower and more local remit.***

(Effective Governance of Multi-Academy Trusts – Robert Hill)

A MAT is a single legal entity, a ‘company’ which operates under Company Law and is regulated by Articles of Association. Voluntary-aided schools have a governing body which is the legal entity responsible for every aspect of governance. In a MAT, all schools in the trust are governed by a board of directors. This board is responsible for decisions relating to how each academy within the trust is run and is ultimately accountable for each of the schools. The board of directors may delegate some of the functions associated with the trust’s legal responsibility to local committees using a Scheme of Delegation but the legal responsibility itself cannot be delegated.

At present, the ‘members’ of the MATs in the Diocese of Nottingham are normally senior clergy within the diocese and include the Bishop of Nottingham, the Episcopal Vicar for Education or one of the Vicar Generals. The members have ultimate control over the academy trust. The Bishop of Nottingham (who will always be a member) has the right to appoint the majority of foundation directors and the Trust’s Articles of Association may only be amended with the Bishop’s written consent. In a legal context, it is the members who found the company; thereafter, the function of the members is to hold the directors to account. In general, the members are not hands-on in terms of governance but they may call general meetings in accordance with the Companies Act and will receive an annual report from each of the MATs in the diocese. The Department for Education now recommends that there should be at least 5 members for each new MAT.

Directors are appointed to govern the MAT. The board of directors has the legal responsibility for the individual academies within a MAT. The board of directors is responsible for:

- Setting the strategic direction of the MAT itself and for the individual academies
- Holding the headteachers to account
- Ensuring financial probity
- Policy development

It is a requirement of the Bishops’ Conference of England and Wales that there will always be a majority of practising Catholic foundation directors in a Catholic MAT. Foundation directors must therefore be appointed by the Bishop of Nottingham and will be expected to uphold the values and aspirations of the diocese for its schools in accordance with the teachings, practices and tenets of the Catholic Church.

***At present, the basis on which academies operate depends entirely on when they became an academy. We will engage MATs, sponsors, academies, dioceses and the wider schools’ sector to ensure that the legal framework for academies is fit for purpose for the long term.***

***(p.64)***

(Educational Excellence Everywhere – March 2016)

***Trust boards need to continually review and adapt their structures...too many MATs retain outdated and ineffective governance structures...(27)***

(Written Evidence to the Education Committee - National Governors’ Association – May 2016)

Many of the MATs in the Diocese of Nottingham were established a number of years ago using Articles of Association which have now been revised several times. At the time, boards of directors were formed from the headteachers and chairs of governors of the schools in the MAT with additional foundation director appointments. The result of this can be rather large boards built on a ‘representational’ model with many directors also being members of local governing bodies. It was clear during the consultation process that the demands of being both a governor (most often the chair of governors) and a director were seen as being increasingly difficult. Whilst, at present, the headteachers bring an enormous amount of knowledge to the board, the issues of challenge and accountability become difficult when they are themselves directors, and together, make up a significant proportion of the total number of directors on the board. There is a danger that this could sometimes result in a sense of ‘loyalty’ from directors who are

‘representing’ a particular academy in a MAT rather than benefitting from ‘independent scrutiny’ as cited below:

***There should be a clear separation between the role of the board in providing strategic leadership and oversight and that of senior executives providing operational leadership. I would not expect those in a senior leadership position to occupy a board position where this could reduce the scope for independent scrutiny.***

(Letter from Lord Nash to Chairs of Academy Trusts – 21 October 2016)

***...this means, certainly at trust board level, there is no room for a ‘my school’ mentality. This problem can exist especially in small MATs where the trust board is comprised of those who previously served as governors on the governing bodies that joined to form the MAT. (12)***

***The debate needs to be about accountability and not power... (13)***

(Written Evidence to the Education Committee - National Governors’ Association – May 2016)

Trust boards are now expected to be far more strategic in nature and directors should be appointed for the skills that they bring to the table; these skills would include a background in education, business, finance, legal, HR etc. In addition to this, there is also an expectation that at least one director on each board should be a priest/religious. We are blessed to have many loyal, devoted and highly skilled foundation directors and foundation governors already in the Diocese of Nottingham. This process now provides an excellent opportunity to look carefully at where these people are and the precise role that they are undertaking. By carrying out a thorough application process based on a careful skills audit, the Bishop of Nottingham can be well advised on potential appointments for our new trust boards.

***As fewer, more highly skilled boards take more strategic oversight of the trust’s schools, MAT boards will increasingly use professionals to hold individual school-level heads to account...allowing school-level governing boards to focus on understanding and championing the needs of pupils, parents and the wider community. (p.50)***

(Educational Excellence Everywhere – March 2016)

***All boards, of maintained schools, academies and MATs should be tightly focused and no larger than they need to be to have all the necessary skills to carry out their functions effectively, with every member actively contributing relevant skills and experience. In general, the department (DfE) believes that smaller boards are more likely to be cohesive and dynamic and able to act more decisively. Boards cannot afford to carry passengers. (p.20)***

(Governance Handbook - November 2015)

***Has the [trustee] board adopted a robust and transparent process for the recruitment both of trustees [directors] and those at local governance level, including role specifications, skills audits and interview panel to ensure those carrying out governance functions have the full range of experience, qualities and skills necessary...? (7)***

(Twenty-one Questions for Multi-Academy Trusts – March 2015)



**RSCs expect trusts to have a high-calibre board in place to provide independent scrutiny, support and challenge of CEOs. MAT Chairs are taking recruitment to their board increasingly seriously, moving away from informal recruitment and ‘accidental’ board structures to rigorous recruitment, with skills audit and gap analysis. Board candidates are interviewed as if they were applying for a paid position. (p.24)**

(Multi-Academy Trusts – Good Practice Guidance and Expectations for Growth)

It is recognised that in some cases, it is difficult to recruit both directors and governors. In the long-term, the new arrangements will require fewer directors and governors with the possibility of local governing bodies being over more than one school if necessary.

Although a Scheme of Delegation has always been in place, there are a number of occasions when the precise role of both directors and governors on local governing bodies has been unclear or perhaps misunderstood. It is vital that, once approved, a new Scheme of Delegation sets out clearly the role of both the trust board and local governing bodies. This is especially important in all matters associated with employment and finance.

**Is the structure of the trust from its members to academy level governance conducive to effective working, ensuring check and balances but avoiding duplication at different levels, and delivering good two-way communications? (4)**

**How does the [trustee] board ensure its governance structure is clear, in keeping with its Articles of Association, and that those at regional, cluster and academy level understand their roles and responsibilities compared to those of the [trustee] board? (5)**

(Twenty-one Questions for Multi-Academy Trusts – March 2015)

**...the Scheme of Delegation is a key document defining the lines of responsibility and accountability in a MAT. NGA believes that this should provide a simple yet systematic way of ensuring members, trustees [directors], committees (including local governance committees), executive leadership and academy heads are clear about their roles and responsibilities – and crucially, are clear on lines of accountability within the trust... (58)**

(Written Evidence to the Education Committee - National Governors’ Association – May 2016)

**It is essential that all trusts, but particularly MATs that have appointed local governing bodies, explicitly define, document and publish on their website a scheme of delegation to set out the precise role and function of each tier of governance below the board to which they have delegated functions. This is a requirement under the Academies Financial Handbook to ensure trusts develop coherent governance arrangements that are transparent to everyone both within and outside the trust.**

(Letter from Lord Nash to Chairs of Academy Trusts – 21 October 2016)

The CES is currently working on a model Scheme of Delegation and Memorandum of Understanding for use in Catholic trusts. These will be used as a basis from which to formulate documents for use within the Diocese of Nottingham which ensure that there is a balance between the strategic nature of the board and the more localised knowledge of governors on local governing bodies.

There is also an urgent need to consider the issue of training and the provision of a range of ongoing 'modules' of training for both directors and governors in order to assist them in developing a greater understanding of their respective roles which will in turn lead to a greater overall effectiveness for the trust. A very common theme of the consultation was that there is a sense of 'duplication' at present. This must be avoided at all costs in our new structures.

***Step up a gear on training and development for directors and governors/academy council members. That starts with MATs looking at their induction programmes to ensure that new trustees (directors) understand their statutory responsibilities as company directors. For those in governance positions in local academies it will mean them understanding what their role is – and how it fits into a broader governance framework. It will also involve identifying accurately the development needs of directors and governors.***

(Governing Responsibly – Robert Hill)

Although the role of a local governing body will naturally be different within a MAT model, it is important that they continue to be seen as a vital and fundamental part of our governance arrangements. It is the local governing bodies which are at the heart of the local school and parish communities and provide a voice for each of the academies within the trust. The aim of our revised governance structures should be to empower governors to concentrate on enhancing the quality of Catholic education at individual academy level free from many of the statutory responsibilities traditionally assigned to governors within the voluntary-aided model. The actual terminology used in future will need to be investigated more fully and will be presented in Part 2 of this paper.

***The National Governors' Association thinks that academy level governance within MATs being called local governing bodies is unhelpful as it suggests a similar function to that of maintained school governing bodies when local governing bodies are in fact committees of the MAT's trust board... (47)***

***Academy councils rather than local governing bodies are increasingly being used as a vehicle for giving MAT boards assurances that they know their schools. These academy councils feature heavily in the best practice work NGA is now doing including in our model governance structures and schemes of delegation where they retain a monitoring and promoting role in relation to how the trust vision is being implemented in the trust's academies, acting as a local contact point for parents etc. – providing 'on the ground' knowledge. (50)***

(Written Evidence to the Education Committee - National Governors' Association – May 2016)

We must also remember that whilst our diocesan MATs have similarities with other local and national MATs, they are also different. Our MATs are not autonomous empires and they certainly do not exist to 'take over' other schools. The MATs in the Diocese of Nottingham are to be seen as part of the overall mission of the Church here in the Diocese of Nottingham. Foundation directors are appointed by the members of the MAT (one of whom is the Bishop of Nottingham) and this accountability must be recognised. In addition to their own internal accountability systems, the newly established MATs (through their lead officers – please see Section 10) would

also be accountable to the NRCDES for standards and performance through the scrutiny of the NRCDES Standards Committee.

## **Proposals for Governance Structures:**

### *Members*

- The members of each trust should be the same and should include the Bishop of Nottingham, the Episcopal Vicar for Education and a Vicar General in addition to other members of the clergy. There should be 5 members in total for each MAT and one member should also serve as a director on each of the MAT boards.
- There should be at least an annual meeting for members where they are presented with a report on each trust which includes key performance data and a financial summary however, the members will have the right to call a meeting of the MAT trust board whenever they see fit.
- Members should introduce the revised set of Articles of Association for each newly created trust and it should be made clear that only the members may make amendments to the Articles of Association which will be through written consent.

### *Directors*

- Based on the fact that MATs will become larger and current guidance both from the Regional Schools Commissioner and the Catholic Education Service, the current representational model of boards should be replaced.
- Through training events, it must be made clear that the board of directors is ultimately responsible for all of the academies within the trust and that it is directly accountable to the Bishop of Nottingham, the DfE, the RSC, the EFA and other public bodies.
- Boards of directors should be strategic in function and should be made up of between 8 and 12 directors.
- Role specifications for board directors should be produced – these should outline clearly the expectations required.
- Directors should be appointed following a recruitment process based on the key skills that they would offer to the board. A thorough skills audit of present governors within the newly established MAT regions should be undertaken to identify potential directors. Skills would include a background in Catholic education both at primary and secondary level, finance, HR, legal, health and safety, safeguarding etc. This should then lead to a formal appointment process.
- Headteachers and chairs of governors should not be on trust boards.
- At least 1 director on each board should be a priest/religious.
- The CEO should not be a director as s/he is accountable to the board.
- There should be no parent directors on the trust board but the parent voice should be present at local level.
- The present Scheme of Delegation should be revised with particular reference to delegated powers over finance and employment matters.

- Recruitment to the reserved posts of headteacher, deputy headteacher, lay chaplain and in secondary schools, heads of Religious Education departments - will be 'trust' appointments carried out by the directors of the trust and the NRCDES with governor representation.
- The committees of the board should include the following areas: Catholic Life, Standards and Performance, Finance/Audit, HR, Resources/Premises. (Part 2 of this paper will include more information about this aspect).
- It should be the intention that committees of the board and reporting arrangements are the same in each newly established MAT. This is a piece of work which will be carried out by the newly-established working party (please see below) and will be included in Part 2 of this paper.

### *Local Governing Bodies*

- Local governing bodies should be renamed 'local academy committees' or 'academy councils' and through training events, it must be made clear that governors on these committees or councils are accountable to the board of directors and that they only have authority to carry out tasks which are delegated to them.
- The work of local academy committees should be strengthened by using a model similar to that of NLGs (National Leaders of Governance). In the Diocese of Nottingham, experienced governors who could share their expertise should be designated DLGs (Diocesan Leaders of Governance) and should work in conjunction with the NRCDES to develop high quality governance across the diocese.
- The focus of local academy committees/academy councils should be on Catholic Life, academy standards, behaviour and attendance, local and parish community links.
- The local academy committee/academy council could be slightly smaller than local governing bodies at present. They must include representation from parents in order to maintain a voice from the local community.
- In order to ensure that the voice of individual academies continues to be heard at board level. There should also be structures in place for regular meetings of the headteachers and chairs of local academy committees/academy councils within the MAT. These could be 'headteacher' and 'chair of local academy committee or academy council' forum meetings – reports from which could be tabled at board meetings. This could also be one way in which the board is seen to be engaging more directly with the work of the local academy committees/academy councils.

### *Financial Oversight*

This aspect is extremely important and must be addressed within the Scheme of Delegation. The roles of both the board of directors, the Executive Team and governors on the local academy committee/academy council must be made very clear and there should be clear procedures in place to mitigate the risk of any financial irregularity.

## 9. Consultation Aspect 3: The ‘Executive’ Function

*This section deals with the role of senior leaders within a MAT and how the MAT structure could enable school leaders to devote a greater amount of their time and energy to teaching and learning whilst also making financial efficiencies. Although in the first instance, the section looks at the role of the CEO within a Catholic MAT and Executive Team, it will also describe how the MAT approach could develop collaboration between groups of schools and assist with issues associated with the future recruitment and development of teachers and senior leaders in our Catholic schools.*

*Part 2 of the paper will deal more specifically with the role of MATs in terms of school improvement.*

### *The CEO and the Executive Team*

At present, no MAT in the Diocese of Nottingham has an ‘executive leader’ or CEO. There continues to be discussion about the role of CEO both at a national level generally and at a national level in terms of the Catholic dioceses. However, over recent months it has become clear that every MAT is expected to have this role. This view was stated by the Regional Schools Commissioner at our meeting in May 2016 and was repeated by Sir David Carter at a meeting of all Diocesan Schools Commissioners in October 2016.

***A new edition of the [Academies Financial] Handbook came into effect on 1 September 2016. There are few new requirements. Instead it builds on our work with trusts to emphasise key points about management and governance. It emphasises the requirement for every trust to have a senior executive leader (principal, chief executive or equivalent), who I also expect to be the accounting officer, so that there is no doubt about where accountability sits for standards of financial management, particularly as we move to a sector with an increasing number of multi-academy trusts.***

(Letter from Peter Lauener – EFA to all Accounting Officers - 6 October 2016)

***The role of the RSC is separate to that of the EFA. RSCs will, however, expect a MAT’s governance arrangements to be in line with any mandatory requirements before approving any new academy arrangement. They will pay particular attention to whether, and the extent to which...in line with the Academies Financial Handbook, the MAT has appointed a single executive leader, who should also be appointed as accounting officer, who will take responsibility for results. (p.26)***

(Multi-Academy Trusts – Good Practice Guidance and Expectations for Growth)

The CEO or executive leader would be the main professional adviser to the trust’s board of directors and would be accountable to the board. The post-holder would then have line management responsibility for the headteachers within the trust. In the context of Catholic MATs, the post must be seen as a reserved post and given its importance, it should be an appointment which is made jointly between the NRCDES (on behalf of the Bishop and members) and the MAT board of directors. The CES is at present working on sample CEO job description but there is no nationally agreed pay scale.

As a new post, we have a tremendous opportunity to shape this role in a way which will be of great benefit to developing Catholic education in the future. The precise nature of the role will inevitably vary depending upon the size of a MAT and the composition of the Executive Team within it, however, just as a headteacher is regarded as a 'faith leader' of a school community, the CEO or executive leader would have the responsibility of being a faith leader for the MAT in addition to the other responsibilities which the role entails.

Whilst the following list is intended as the perceived 'functions' of a CEO or executive leader within a secular MAT, the list is a nonetheless useful starting point for our own view of a CEO in a Catholic MAT.

***Thinker and strategist***  
***Guardian of the flame***  
***Instructional leader***  
***Leadership developer***  
***Orchestrator of partnership depth***  
***Quality assurer***  
***Business developer***  
***Communicator within the MAT***  
***Ambassador for the MAT***  
***Corporate executive***

(What does it mean to be the CEO of a Multi-Academy Trust? – Robert Hill)

The CEO should be supported by an Executive Team which oversees the provision of central services to all academies within the MAT. The roles below could be regarded as the 'core' posts within an Executive Team (these will be developed in Part 2 of this paper):

- CEO
- Director of Finance
- Director of HR
- Director of School Improvement – Primary
- Director of School Improvement – Secondary
- Premises/Estates Manager

In addition to the posts above, Catholic MATs in the Diocese of Nottingham should also have a centralised 'chaplancy' function to ensure that the Catholic mission of our schools remains central to each MAT's work.

At the heart of any Executive Team must be the school improvement function – further work will be carried out on this and will be included in Part 2 of this paper. Thought will need to be given to how the school improvement role will be carried out and the precise staffing requirements for this. Wherever possible, the notion of school to school support should be incorporated into the MAT's overall school improvement structure which should be phase specific. The use of NLEs, LLEs and SLEs should also be developed. In addition to this, the actual benefits of increased collaboration between groups of schools, particularly in terms of increased opportunities for staff development within the MAT structure should not be overlooked.

## *The Benefits of Collaboration and Opportunities for Staff Development*

There is an increasing body of evidence for the benefits of close collaboration between schools:

- Strong collaboration with shared accountability can lead to better progress and attainment for pupils and help schools to meet rising expectations;
- School leaders and teachers can share thinking and planning to spread expertise and tackle challenges together;
- Governors can come together to share strategic thinking, to combine skills and to support each other during challenging times;
- There is a possibility that, in some cases, school leaders, teachers and other staff can be shared across more than one school enabling schools to find different solutions to recruitment challenges, to retain staff by providing new opportunities within the group to plan succession more effectively;
- Groups of schools can find it easier to find and fund specialist expertise in a range of areas and provide richer curricular and extra-curricular activities;
- Shared professional development can more easily be arranged, either led by staff from one of the schools or from an outside provider;
- The economies of scale and collective purchasing made possible within larger groups can help schools cope better with decreasing budgets.

There would be many additional opportunities for staff development both in terms of teaching and learning and leadership development.

- Shared subject leader roles (particularly in primary schools) could enable subject specialists to support a group of schools. This could involve coaching and mentoring, team teaching, leading staff meetings, monitoring and evaluation and so on.
- Lay chaplaincy teams could work across a MAT.
- Secondary subject specialists could provide support for primary colleagues and vice versa.
- There would be more scope for sharing specialist services to support pupils in areas such as special educational needs, family support and educational welfare support.
- There could be increased secondment opportunities, even on a fixed term basis both in terms of teaching and learning and leadership development.

***The whole point of a MAT is to grow a teaching and learning model where schools are continually and ever more deeply engaging with, learning from and support each other. That requires a shared purpose, shared leadership, shared systems, shared resources and shared accountability. MATs are, at best, unlikely to reach their potential and, at worst, storing up problems for the future if the MAT is simply a holding body for a series of largely autonomous units.***

(Governing Responsibly – Robert Hill)

### *Central Services*

***Heads and principals in the best MATs testify to feeling liberated from having to spend large chunks of time managing a lot of day-to-day administrative, personnel and property issues. They can get on with their core business of improving rates of progress and attainment.***

(What does it mean to be the CEO of a Multi-Academy Trust? – Robert Hill)

As stated above, one of the main benefits of forming a MAT is for each of the schools to benefit from the central services which could be offered within it so that many of the routine non-educational tasks currently undertaken by headteachers could be carried out by other personnel within the trust thereby enabling headteachers to devote themselves entirely to leading teaching and learning. There are numerous services which could be provided centrally and the list below is by no means exhaustive:

Chaplaincy	SEND Support	Pastoral Support/Counselling
Finance	HR	IT
Education Welfare	Catering	Estates
Health & Safety	Procurement	Project & Risk Management
Communications	Enrichment	Operations

Table 6: Examples of 'Central Services' within a large MAT

**Many education leaders have recognised that by forming a MAT, expertise and services can be shared across a number of schools, freeing up headteacher time to focus on educational priorities.**

**The MAT was formed when the headteachers at the local partnership meeting recognised how much of the primary headteachers' time was diverted away from supporting excellent teaching and learning. (p.35)**

(Multi-Academy Trusts – Good Practice Guidance and Expectations for Growth)

#### *Succession Planning (Recruitment and Development of Senior Leaders and Teachers)*

It is becoming increasingly difficult to recruit senior leaders in all phases although the issue is particularly acute in primary schools and at headteacher level. At present, the vast majority of our primary schools have a substantive headteacher but this is unlikely to be the case in the next five years. During the past year, the NRCDES has been involved in a number of recruitment days for primary headteachers. In all but two of these, there was only one candidate and very often, this person was the school's deputy headteacher. There are many theories as to why this is the case. The requirements of the Bishops' Conference Memorandum on the Appointment of Teachers in Catholic Schools means that we will often have fewer applicants, however, even in state schools, the numbers of applicants for headship posts is decreasing. Some would argue that it is the actual requirements of the post now and the huge accountability which is associated with it that is acting as a disincentive.

A recently published report *The School Leadership Challenge 2022* by the Future Leaders Trust, Teaching Leaders and TeachFirst (November 2016) presents a very worrying picture:

**Unless action is taken, the report projects that England may face a shortage of between 14,000 and 19,000 school leaders affecting one in four schools by 2022...The supply of leaders is expected to fall by 8,000 due to retirement and leaders leaving the profession early. Half of the existing leadership pool is expected to leave education in the next six years.**



The report goes on to identify four challenges to closing the leadership gap:

- **Potential headteacher applicants are deterred by the challenges of the role as it is currently and are not effectively incentivised to apply.**
- **Recruitment of headteachers is inconsistent, affected by both a lack of candidates in particular areas and inexperience in recruitment of headteacher roles.**
- **The profession lacks a culture of development and feedback with varied access to opportunities.**
- **Leaders do not get the support or feel the motivation that would keep them in leadership roles and increase retention.**

The move towards a larger MAT system could offer tremendous benefits in this regard. By working within a MAT structure, the headteacher would be working with a group of colleague headteachers who would be able to offer support and guidance. If the central team were able to offer a range of services such as HR and finance, this would allow the headteacher to devote more time and energy to the core purpose of their role which is leading teaching and learning within the school. This could also act as a greater incentive for the 'headteacher' post itself.

Ultimately, there may well need to be a move towards 'heads of school' with executive headteachers overseeing more than one school; this could lead to more people being willing to consider the role as it would be seen as one which involves a far greater focus on raising standards through leading teaching and learning rather than having to deal with a range of administrative tasks. The 'head of school' role could also be used to develop future leaders. Many MATs are now looking beyond the simple, deputy headteacher and headteacher model of senior leadership. Perhaps it is now time for us to do the same.

***The practice of many MATs in helping to develop talent, introduce new leadership models and forge a leadership pipeline should be shared more widely.***

(Where is the MAT agenda going? - Robert Hill)

Although the focus of succession planning has been on senior leader roles up to now, the issue of actually attracting high calibre teachers to our schools in the first place should also be discussed. Some statistics published in January 2016 indicate that around 10% of teachers leave teaching each year and that the proportion of teachers leaving for reasons other than retirement rose from 64% to 75%. In addition to this, 28% of newly qualified teachers leave teaching within 5 years and if all of those who started teacher training are included, the figure rises to around 55%. This (initial teacher training) could also be a role which is carried out by each MAT, particularly if each MAT had a Teaching School within it. At the moment, we have the Nottingham Catholic Teaching School Alliance based at the Becket School in Nottingham but consideration should be given to establishing a Teaching School within each MAT.

*Teaching Schools*

The Department for Education website defines teaching schools as follows:

***A teaching school is an outstanding school that works with others to provide high quality training and development to new and experienced school staff. They are part of the***

***government's plan to give schools a central role in raising standards by developing a self-improving and sustainable school-led system.***

There are 6 core areas of responsibility for teaching schools:

1. School-led initial teacher training
2. Continuing professional development
3. Supporting other schools
4. Identifying and developing leadership potential
5. Specialist leaders of education (SLEs)
6. Research and development

For more detailed information about the 6 core areas, please see Appendix 11.

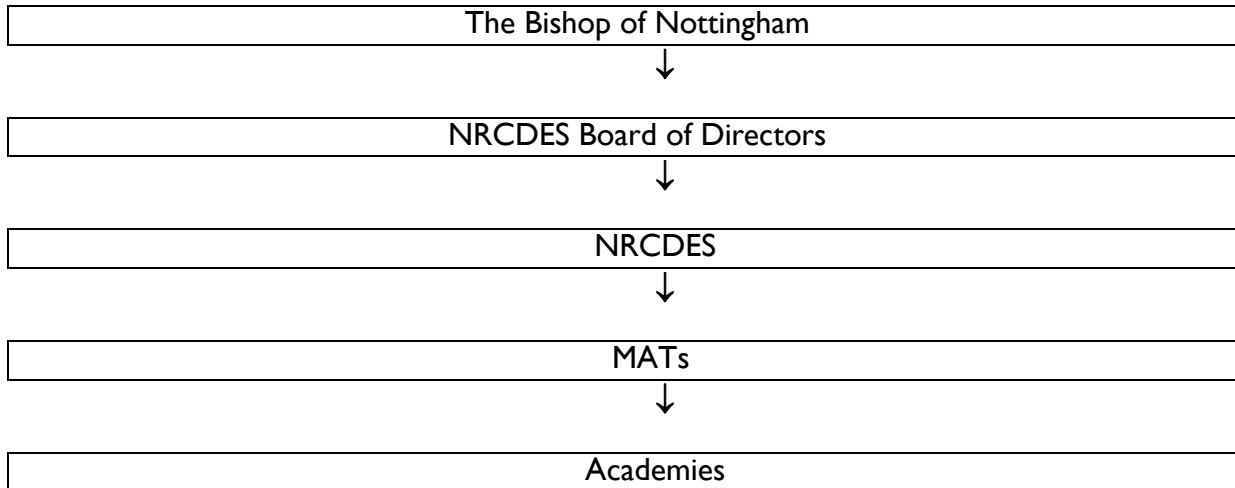
The contribution of teaching schools towards MAT school improvement will be explored further in Part 2 of this paper.

**Proposals for the 'Executive' Function:**

- The terminology for the post must be agreed – options are CEO or executive leader.
- The expectation is that a CEO or executive leader has a proven track record of being an effective headteacher.
- The post of CEO must be regarded as a reserved post and therefore there should be a requirement that the postholder is a practising Catholic. The posts should be advertised nationally.
- A 'diocesan' agreed job description for the role of CEO or executive leader should be produced and a formula for calculating salary should be devised which is open and transparent.
- Consideration should be given to making appointments for the role of CEO as far as possible, at the beginning of the process of conversion so that the post-holder is able to lead the process in collaboration with the NRCDES from the beginning.
- Once appointed, provision must be made for CEOs to receive regular external training and support.
- The 'core' posts for the Executive Team (including chaplaincy) should be established by the NRCDES for each MAT.
- Further work should be carried out regarding the structures required for school improvement to be carried out within each MAT.
- There should be a greater number of Teaching Schools within the Diocese of Nottingham, (at least one more with the possibility of each larger MAT having its own teaching school). This would enable the accreditation of appropriate NLEs, LLEs and SLEs to support schools within the trust.
- Trusts should develop (in conjunction with the NRCDES) training in leadership and also consider initial teacher training schemes which would include specific core modules in 'teaching in a Catholic school'.
- Further work should be carried out to devise a 'career progression ladder' for Catholic schools in the Diocese of Nottingham using a greater range of approaches to leadership roles.

## 10. The Role of the NRCDES

Whatever proposals are adopted in the future, the role of the NRCDES as the ‘agent’ of the Bishop of Nottingham in all matters concerning Catholic education remains unchanged. The structure whereby the NRCDES Board of Directors ‘governs’ the work of the NRCDES with the NRCDES overseeing, guiding, challenging and supporting the work of our schools through the newly established MATs would also be the same.



The NRCDES will, once approved, take responsibility for the implementation of the diocesan plan, phase I of which should be completed by July 2018. During this time, there will need to be an increase in staffing (on a fixed term basis) in order to enable NRCDES personnel to lead the implementation process. Following this, it is recommended that there should be a review of staffing within the NRCDES in order for the service to continue to fulfil the following roles:

Admissions & Appeals
Buildings & Capital
Catholic Life, Collective Worship & Religious Education
Chaplaincy
Strategic Development & Oversight of MATs
Diocesan Canonical Inspection
Governance – Appointment & Training of Directors/Governors
Relationships & Sex Education
Strategic Oversight of Standards

At this stage, the role of the NRCDES would be a more ‘strategic’ one. There should be regular meetings with the CEO of each MAT and meetings with other members of the executive team as appropriate. The NRCDES would also continue to appoint and provide ongoing training for foundation directors and governors on behalf of the Bishop of Nottingham.

## 11. Implementation

It is clear that a great deal of work will need to take place in order to move from our present system to a new model. It is vital that once the diocesan plan is approved and circulated that communication with our schools, directors and governors is open, honest and regular.

There will inevitably be legal issues to address in terms of merging trusts. A report on this has been obtained from the legal firm Winckworth Sherwood and can be found in Appendix 12. This raises the question of funding. Current voluntary-aided schools which choose to convert to academy status continue to receive a conversion grant of £25,000. Other than that, there is no additional funding. We would wish to work closely with our current company secretaries and finance directors in order to try to deal with some issues ‘in-house’. However, this will not be possible for some areas of work and we will need to consider how the NRCDES could provide financial support for our aims to be achieved.

It is reassuring to know that we are not the only Catholic diocese in the country grappling with these issues at the present time. Information about some of the developments in other dioceses can be found in Appendix 13.

### *Provisional Outline Plan*

<i>Date</i>	<i>Activity</i>	<i>Completion</i>
December 2016	Approval of Part 1 of Plan Letter from Bishop Patrick McKinney to headteachers and chairs of governors and trusts	
9 January 2017	Information sharing event for schools (1) Establishment of working groups Meetings of working groups (ongoing)	June 2017
February 2017	Regional meetings	
March/April 2017	Meetings with voluntary-aided schools	
June 2017	Working party presents recommendations to Director of Education	20 June 2017
27 June 2017	Director of Education presents Part 2 of Plan to Bishop Patrick McKinney and NRCDES Board of Directors	27 June 2017
July 2017	Information sharing event for schools (2)	
September 2017	Creation of new MATs Conversion of voluntary-aided schools	July 2018
January 2018 March 2018	Appointment of ‘shadow’ Board of Directors Appointment of CEOs	April 2018 July 2018
September 2018	CEOs take up posts Appointments of Executive Teams	September 2018 July 2019

## Working Group

Four groups comprising NRCDES staff, directors and staff from existing trusts and schools within the diocese will be working on the areas listed below and will report to a 'steering group' periodically.

<b>Governance &amp; Accountability</b>	<b>School Improvement/Leadership &amp; Standards</b>	<b>Central Services/Operational</b>	<b>HR/Staffing &amp; Finance</b>
<i>Accountability Framework Scheme of Delegation Memorandum of Understanding Committee Structures Training Role &amp; Functions of NRCDES, MAT Boards, Local Committees</i>	<i>School Improvement Data &amp; Reporting Role of CEO/Headteachers Succession Planning/Recruitment ITT Teaching Schools</i>	<i>Central Services Financial Management Common Core Services: Payroll, HR, Accountancy, Audit &amp; Legal</i>	<i>Restructuring Possible Redundancy Issues Recruitment Financial Forecasting &amp; costing of project</i>

Proposals will be presented to the Director of Education who will then prepare Part 2 of the *Plan for Catholic Schools in the Diocese of Nottingham* to be presented to Bishop Patrick McKinney and the NRCDES Board of Directors on 27 June 2017. A second information sharing event will then be held for schools in July 2017.

## Public Relations

The NRCDES will engage the services of a PR consultant to provide expertise at specific points during the process. This will also include the publication of materials which can be used by schools to communicate with staff and parents.

## **12. Conclusion**

Catholic education has a tremendously long, rich history and is very well respected nationally. Over the years, it has adapted itself according to the demands placed upon it by various pieces of government legislation from a position of great strength.

It now needs to be protected and secured for future generations of children and young people here in the Diocese of Nottingham. Whilst the future is uncertain in many ways, one certainty is that change is a reality in the world of education. The situation will not remain the same.

We, in Catholic schools, know very well what constitutes an effective Catholic education. It is important that we now seize this opportunity to re-shape Catholic education in our diocese by making these decisions ourselves – rather than waiting for them to be imposed upon us.

We are at our best when we work together and for the benefit of all the children and young people in our schools. We hope to establish an even greater sense of collaboration and cooperation within our Catholic schools so that no school in the Diocese of Nottingham is left isolated or vulnerable.

## Appendix I – The Mission of our new MATs

The following is an extract from a document entitled ‘The Characteristics of Effective Hubs’ produced by the Diocese of Clifton. For the purposes of this paper, the word ‘hub’ has been replaced with ‘MAT’.

### **Mission**

The MAT has a clear identity driven by the principles of Catholic education. The schools within the MAT are ‘in communion’ with each other and work together. All policies, practices and relationships are shaped and evaluated in accordance to Gospel values.

<b>Ethos</b>		
<b>Beginning</b>	<b>Developing</b>	<b>Embedded</b>
Each individual school within the MAT has its own vision of Catholic education, provides its own INSET for staff, reviews, forms and evaluates its own policies and practices in light of documentation related to the purpose and principles of Catholic education. A joint mission and ethos group has been established. There is a willingness to engage in discussion by all schools and key priorities for the future are collectively agreed and a development plan has been drawn up.	There is a joint statement of vision which all schools take ownership of. There is a collective review of policies and practices relating to the priorities set with regard to the distinctive nature of the school. Each school’s development priorities are linked to the overall MAT’s development plan. INSET for staff is held collectively.	The joint vision and development plan drives the policies, practices and relationships of all the schools in the MAT. These are monitored and reviewed by the MATs mission and ethos group. Where support is needed there are strategies in place to ensure that this can be delivered.

<b>Chaplaincy</b>		
<b>Beginning</b>	<b>Developing</b>	<b>Embedded</b>
Each individual school has its own pupil chaplaincy team. Schools either already have, or have plans to hold joint chaplaincy events. Pupils are trained together.	Implementation of chaplaincy is in line with the MATs overall vision. Chaplaincy provision is reviewed and monitored by the MAT’s mission and ethos group. There are regular opportunities for joint chaplaincy work.	Chaplaincy provision within the MAT is strengthened by the sharing of resources and personnel. It clearly impacts on the life of the MAT and involves the parishes connected to the MAT.

## **Appendix 2 – Recent Statements on Education**

### **Education Select Committee**

**Justine Greening** (Minister of State for Education)

14 September 2016

‘Our hope and expectation is that schools will want to steadily take advantage of the benefits that academies can bring, but our focus will be on those schools where we feel standards need to be raised.’

### **Written Ministerial Statement**

#### **Technical and Further Education: Written statement - HLWS224**

27 October 2016

**Lord Nash** (The Parliamentary Under Secretary of State for the School System)

...Our ambition remains that all schools should benefit from the freedom and autonomy that academy status brings. Our focus, however, is on building capacity in the system and encouraging schools to convert voluntarily. No changes to legislation are required for these purposes and therefore we do not require wider educational legislations in this session to make progress on our ambitious education agenda...

### **Education Select Committee**

**Lord Nash** (The Parliamentary Under Secretary of State for the School System)

30 November 2016

...I think we have settled in a place where we have the ambition that every school has the opportunity to become an academy, most of them working in MATs...I think we will have a mixed economy for a while but the trend is clear that more and more schools are seeing the benefits of working together in multi-academy trusts...I think there will come a point in the next maybe five or six years where a tipping point is reached and it becomes clear that we cannot maintain a dual system for much longer. Also I think it will be acknowledged across the system that school to school support is the way to improve schools, and it is increasingly being acknowledged that the most rigorous, the most permanent, the most accountable, the most efficient and the most unified way of doing this is in one corporate vehicle, operating tight geographic clusters, called multi-academy trusts.

### **Robert Hill**

31 October 2016

...Given the scale of change and challenges facing schools, it is questionable whether operating as a single school represents a wise long-term policy...

(Where is the MAT agenda going?)



## Appendix 3 – School Funding

The government is firmly committed to introducing fairer funding for schools, high needs and early years. This is an important reform, which will fairly and transparently allocate funding on the basis of schools' and children's actual needs, rather than simply on historic levels of funding tied to out of date local information. Along with the record levels of funding for schools announced at the spending review, and our commitment to the pupil premium for pupils from disadvantaged backgrounds, a fairer funding system will set a common foundation that will enable schools - no longer held back by a funding system that is arbitrary, out of date and unfair - to maximise the potential of every child. It will provide a crucial underpinning for the education system to act as a motor for social mobility and social justice.

There is a strong sense in the response to the first stage of the consultation that this is a once in a generation opportunity for an historic change and that we must get our approach right. I will therefore publish the government's full response to the first stage of the schools and high needs consultations and set out my proposals for the second stage once Parliament returns in the autumn. We will run a full consultation, and make final decisions early in the new year. Given the importance of consulting widely and fully with the sector and getting implementation right, the new system will apply from 2018 to 2019. I will set out our full plans for a national funding formula for early years shortly.

In the meantime, I understand the need for local authorities to have sufficient information to begin to plan their schools and high needs funding arrangements for 2017 to 2018. Many of those who responded to the first stage national funding formula consultations emphasised that schools and local authorities need stability, and where there are changes need early notice, as well as a fair system.

In that context, I am confirming that in 2017 to 2018 no local authority will see a reduction from their 2016 to 2017 funding (adjusted to reflect authorities' most recent spending patterns) on the schools block of the dedicated schools grant (per pupil funding) or the high needs block (cash amount). As usual, we will apply an uplift for high needs later in the year. I am also publishing today detailed funding tables so that authorities can see exactly how this funding has been calculated.

I am also confirming that, for 2017 to 2018, we will retain the current minimum funding guarantee for schools, so that no school can face a funding reduction of more than 1.5% per pupil next year in what it receives through the local authority funding formula. To ensure that local authorities can start planning their budgets for next year with certainty, I do not intend to proceed, for 2017 to 2018, with proposals to create a new central schools block, allow local flexibility on the minimum funding guarantee or to ring-fence the schools block within the dedicated schools grant. These will be covered, for 2018 to 2019 and beyond, in my response to the first stage consultation in the autumn.

## Schools National Funding Reform – Summary

15 December 2016

Currently, local authorities decide, within a framework, how to distribute the money they receive from government between local schools. This means that a school in one part of the country could receive 50% more funding than it would if it were based in another. To iron out this discrepancy, the government wants school funding to be set at a national level, using a formula that has been published. The new formula takes into account schools with high levels of in-year pupil mobility. It also places heavy emphasis on schools with pupils who are economically disadvantaged but are not necessarily on free school meals.

### **The winners...**

More schools will win than lose (just over half of schools), and 3,379 schools will see increases to their budget of more than 5%. The maximum they can increase by in 2018-19 will be 3%, rising to a further 2.5% in 2019-20.

At local authority level, 101 areas will be better off under the formula.

The schools set to gain the most include;

- Schools with high numbers of pupils living in disadvantaged areas that are not necessarily eligible for free school meals. Outside London, the average gain for these schools is 1.4%.
- Schools with the highest proportion of pupils with low prior attainment but which are not in areas of high deprivation. These gain 2.8% on average.
- Small, rural schools, which gain 1.3% on average.
- Primaries schools in sparse communities that are both small and remote, which gain 5.3% on average.

### **The losers...**

There are 9,128 schools that would have been funded at a lower level under the new funding formula, if it had been applied this year – 46% of all schools. The schools most likely to face reductions are inner London schools and some other urban areas where levels of relative deprivation have fallen in recent years. The DfE document points out that London schools are still funded at the highest level of all schools, mainly due to higher salary costs. There are 49 local authorities set to lose out under the new formula.

### **By how much could funding drop?**

The minimum funding guarantee will continue, meaning no school will lose more than 1.5% per year for two years.

### **When will the changes take effect?**

The new formula will come into effect in 2018-19. However, in the first-year, local authorities' allocations will be handed down from the government using the new formula, but they will still be able to decide how to share the money between the different schools within their area. From 2019-20, the majority of the funding will bypass local authorities altogether and be sent straight to schools from the EFA (Education Funding Agency). A national £500 million pot of transitional funding is intended to support the move to a new system.

### **What does this mean for Big City Schools?**

For City schools, the average drop in funding could be approximately £200,000 for 2-form entry primary schools by 2020. Along with other cost pressures such as the potential for teachers' employers pension contribution to break 19% by 2019 (an increase on the current percentage of 16%), schools will undoubtedly be looking to make efficiencies where possible and this may ultimately change the legal format within which they exist and operate.

### **Will the accountability around financial management change?**

This has slipped under the radar in this announcement. It will be difficult to see how local authorities can still provide oversight of the maintained schools financial management due to the change in how funding will be distributed to schools. There is every possibility that funding will come direct from the EFA in 2019 and reporting and accountability arrangements may fall in line and be similar to academies and multi academy trusts. Whether this also means a change in the school's financial year to the academic year remains to be seen.

This information was produced by drb Schools and Academies ([www.drbschoolsandacademies.co.uk](http://www.drbschoolsandacademies.co.uk))

## Appendix 4 – Current MATs in the Diocese of Nottingham

<b>South Nottingham Catholic Academy Trust</b>
Blessed Robert Widmerpool, Clifton (Primary) Our Lady and St Edward's, Nottingham (Primary) St Patrick's, Wilford (Primary) St Edmund Campion, West Bridgford (Primary) <i>The Becket, West Bridgford (Secondary)</i>

<b>Saint Robert Lawrence Catholic Academy Trust</b>
The Priory, Eastwood (Primary) English Martyrs', Long Eaton (Primary) <b>St Joseph's, Matlock (Primary) sponsored by the SRLCAT</b> <i>Saint John Houghton, Ilkeston (Secondary)</i>

<b>Northern Lincolnshire Catholic Academy Trust</b>
St Augustine Webster, Scunthorpe (Primary) St Bernadette's, Scunthorpe (Primary) St Norbert's, Crowle (Primary) St Joseph's, Cleethorpes (Primary) <b>St Mary's, Grimsby (Primary) sponsored by NoLCAT</b> St Mary's, Brigg (Primary) <i>St Bede's, Scunthorpe (Secondary)</i>

<b>Corpus Christi Catholic Academy Trust</b>
St Joseph's, Market Harborough (Primary) St Thomas More, Leicester (Primary) St Joseph's, Leicester (Primary) Sacred Heart, Leicester (Primary) St John Fisher, Wigston (Primary)

<b>Saint Dominic's Catholic Academy Trust</b>
St Peter's, Hinckley (Primary) <i>St Martin's, Stoke Golding (Secondary)</i>

<b>Blessed Cyprian Tansi Catholic Academy Trust</b>
Holy Cross, Whitwick (Primary) Sacred Heart, Loughborough (Primary) St Clare's, Coalville (Primary) St Mary's, Loughborough (Primary) St Winefride's, Shepshed (Primary) <i>De Lisle, Loughborough (Secondary)</i>

<b>St Barnabas Catholic Academy Trust</b>
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Our Lady of Perpetual Succour, Bulwell (Primary) St Teresa's, Aspley (Primary) St Mary's, Hyson Green (Primary) <i>The Trinity, Nottingham (Secondary)</i>
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<b>Holy Family Catholic Academy Trust</b>
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St George's, Derby (Primary) <i>St Benedict, Derby (Secondary)</i>
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<b>Pax Christi Catholic Academy Trust</b>
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Holy Cross, Hucknall (Primary) Sacred Heart, Carlton (Primary) St Margaret Clitherow, Nottingham (Primary) The Good Shepherd, Arnold (Primary) <i>Christ the King, Arnold (Secondary)</i>
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<b>St Gilbert of Sempringham Catholic Academy Trust</b>
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English Martyrs', Oakham (Primary) St Augustine's, Stamford (Primary) Our Lady of Good Counsel, Sleaford (Primary) Our Lady of Lincoln, Lincoln (Primary) St Hugh's, Lincoln (Primary) <i>St Peter &amp; St Paul, Lincoln (Secondary)</i>
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<b>The Aquinas Catholic Academy Trust</b>
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Holy Trinity, Newark (Primary) St Patrick's, Mansfield (Primary) St Joseph's, Langwith Junction (Primary) St Joseph's, New Ollerton (Primary) St Philip Neri, Mansfield (Primary) <i>All Saints', Mansfield (Secondary)</i>
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## Appendix 5 – Academies Sponsored by the NRCDES

<b>St Augustine’s Catholic Academy Trust</b>
<i>St Augustine’s, Nottingham (Primary)</i>

<b>St John Fisher Catholic Academy Trust</b>
<i>St John Fisher, Derby (Primary)</i>

<b>Holy Family Catholic Academy Trust</b>
<i>Holy Family, Cleethorpes (Secondary)</i>

<b>St Philip Howard Catholic Academy Trust</b>
<i>St Philip Howard, Glossop (Secondary)</i>

<b>St Edward’s Catholic Academy Trust</b>
<i>St Edward’s, Swadlincote (Primary)</i>

Additional Sponsored Academies:

<i>St Mary’s, Grimsby (Primary) Sponsored by Northern Lincolnshire Catholic Academy Trust</i>
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<i>St Joseph’s, Matlock (Primary) Sponsored by the St Robert Lawrence Catholic Academy Trust</i>
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## Appendix 6 – Voluntary-Aided schools in the Diocese of Nottingham

<b>Derby City</b>
St Alban's, Chaddesden St Joseph's, Derby St Mary's, Derby
<b>Derbyshire</b>
Christ the King, Alfreton St Elizabeth's, Belper St Anne's, Buxton St Margaret's, Gamesley (Primary) & All Saints', Glossop St Mary's, Glossop St Charles', Hadfield ( St Thomas', Ilkeston St Mary's, New Mills  <i>St Thomas More, Buxton</i>
<b>Leicester City</b>
Christ the King, Leicester Holy Cross, Leicester St Patrick's, Leicester  <i>English Martyrs', Leicester St Paul's, Leicester</i>
<b>Leicestershire</b>
Bishop Ellis, Thurmaston St Charles', Measham St Francis', Melton Mowbray St Peter's, Earl Shilton
<b>Lincolnshire</b>
St Mary's, Boston St Mary's, Grantham St Norbert's, Spalding
<b>Staffordshire</b>
Holy Rosary, Burton on Trent  <i>Blessed Robert Sutton, Burton on Trent</i>
<b>Stockport</b>
St Mary's, Marple Bridge

<b>Key:</b>
Primary School
<i>Secondary School</i>

## **Appendix 7 – ‘Academy Chains Unlocked’ Report (Reform)**

A recent report on academy chains has recommended a new approach to the funding, commissioning, oversight and accountability arrangements for academy schools to help them reach their potential.

It highlighted four problems:

- Academy chains are not routinely granted enough financial autonomy over their academies. 73 academy chain leaders cited reducing disparities in pupil attainment as very important. However, many chain leaders commented that it is not easy to direct resources to schools that need it most.
- The process of matching schools to chains is not transparent or independent, and is therefore open to conflict.
- This in turn is hindering competition between chains.
- Chains are not effectively incentivised to run schools that are in need of support.

**It recommends that:**

- Funding for academies be allocated to the chain for them to dispense as they see fit.
- Commissioning decisions should be taken by an independent body, based on transparent criteria, and with all chains able to put themselves forward to run schools.
- There should be more stringent, and more generous, grants for chains that decide to run schools that have previously failed, find themselves in financial difficulties, or are otherwise undesirable to run.

The report also considers the role of governors. Lack of time (rather than lack of skills) was highlighted as an issue for governors with the additional responsibilities academy governance brings. As a result, Reform recommends academy chains are given the power to pay their governors to attract enough people to the role.

**Further information:**

A full copy of the report can be found at:

<http://www.reform.uk/wp-content/uploads/2016/09/Academy-Chains-unlocked-23.9.2016.pdf>

## Appendix 8 – HMCI’s Monthly Commentary (October 2016)

Earlier this year, I wrote to the then Secretary of State for Education to highlight my concerns about the performance of some of the country’s largest multi-academy trusts (MATs). Focused inspections of academies in 7 of these MATs had identified some serious weaknesses that were leading to poor progress and outcomes for far too many children, especially those from disadvantaged backgrounds. As I made clear in [my letter](#), we also know that there are some very good academy trusts out there doing an effective job in raising standards and providing a high-quality education for all their pupils. To gain a better understanding of what marks them out from their weaker counterparts, I commissioned Her Majesty’s Inspectors (HMI) to take a closer look at 7 of these stronger performers. For this review, HMI visited:

- Ark Academy Trust
- ASPIRE Academy Trust
- L.E.A.D Academy Trust
- Leigh Academies Trust
- REAch2 Academy Trust
- The Diocese of Westminster Academy Trust
- The First Federation Trust

These trusts were selected from a long list of MATs that the National Schools Commissioner considers to be high performing. The sample of trusts visited by HMI was chosen to reflect a range of different sizes, age phases and contexts. Each of the MATs in the sample is made up of at least 9 academies. Most have a track record of taking on a number of previously underperforming schools and leading them on a journey to good or even outstanding. To inform our findings, HMI drew on existing inspection evidence and attainment data for individual academies, conducted survey questionnaires and held discussions with senior executives, school improvement leads, trustees and headteachers from each of the chosen MATs.

HMI found that these stronger trusts tended to share a set of common characteristics, including:

- an ability to recruit and retain powerful and authoritative executive leaders, with a clear vision for bringing about higher standards
- a well-planned, broad and balanced curriculum that equips pupils with a strong command of the basics of English and mathematics, as well as the confidence, ambition and team-work skills to succeed in later life
- a commitment to provide a high-quality education for all pupils, in a calm and scholarly atmosphere
- investment in professional development of teachers and the sharing of knowledge and expertise across a strong network of constituent schools
- a high priority given to initial teacher training and leadership development to secure a pipeline of future talent
- clear frameworks of governance, accountability and delegation
- effective use of assessment information to identify, escalate and tackle problems quickly
- a cautious and considered approach to expansion

It is no surprise that for all these trusts, the key to success is the influential part being played by determined executive leaders, who are entrusted and empowered to make the right decisions to secure improvements. In all but 1 of the 7 trusts, the chief executive’s role is performed by a former headteacher, each of whom can demonstrate an impressive track record of turning around failing schools and of exercising system leadership. They have all given – and continue to give – their services to a wide group of schools, often as national leaders of education. These leaders have succeeded in instilling a culture and ethos of high expectations among staff and pupils across their network of schools. In particular, they are ambitious about transforming educational achievements for their poorest pupils, including the most able children. They are visible leaders across their trusts, some of whom do not even have permanent offices. These leaders are optimistic for their pupils’ futures and refuse point-blank to accept excuses for children failing to reach their potential.

Executive leaders of Ark and the Diocese of Westminster, for example, have had success in narrowing the GCSE attainment gap between their disadvantaged pupils and others. In Ark’s academies, the gap for those attaining 5 or more A\* to C grades, including English and mathematics, was 12 percentage points in 2015, while in the Diocese of Westminster it was 18 percentage points. Both compare favourably with the 28 percentage point gap that still exists nationally between disadvantaged pupils and the better off.

The leadership qualities of those at the top of these stronger MATs can also be seen in the provision of a carefully planned curriculum. Each of the MATs reviewed by HMI is working hard to place a strong focus on scholastic



excellence while at the same time providing a high-quality personal, social and cultural experience for every pupil who passes through their academies. While it is fair to say that none of these MATs is using its academy freedoms in a particularly radical way, all have designed their curriculum to make sure every pupil – and not just those whose parents can afford it – has the chance to benefit from enrichment activities, including trips abroad, arts events, learning a musical instrument, visiting galleries and museums, and other similar cultural experiences. For example, REAch2 has developed an ‘I1 before I1’ programme to ensure that all pupils undertake I1 enriching experiences before they leave for secondary school.

Some of these MATs are also managing to buck the overall national trend by ensuring that pupils better suited to a technical or vocational pathway into employment are catered for well. The inclusion of a university technical college (UTC) as part of Leigh Academies Trust, for example, is allowing the MAT leaders to tailor the curriculum to match the talents and future ambitions of different pupils. Another notable feature of the MATs visited for our review is the effort that goes into easing the transition for pupils moving between, as well as beyond, schools in the trust. Leaders place a high premium on establishing a consistent set of values, routines and expectations for behaviour across all their constituent academies. Where there are both primary and secondary schools within the MAT, effective links have been forged between the two phases to ensure a smooth transfer from Year 6 to Year 7. L.E.A.D Academy Trust has gone further, with plans to bring its secondary schools and all their feeder primary schools under the trust’s umbrella. Plans are also underway to bring into the trust a number of early years providers so that leaders can bring their influence to bear on the youngest children, right at the start of their education, in the deprived communities they serve.

In all 7 MATs, senior leaders of the constituent academies see it as their duty to support the trust as a whole. While committed to the success of their own institutions, they do not pull up the drawbridge. Those heads we spoke to work in tight, usually local networks to share best practice and act as critical friends to neighbouring academies in the same trust. They willingly offer support when others within the trust are looking for new ways of improving leadership, teaching and pupil performance. HMI did not encounter any unhelpful competition between individual heads. The ASPIRE Academies Trust, for example, operates a model where its academies are structured in clusters of 3 or 4. Each of these clusters has an outstanding school as the lead academy and an executive headteacher responsible for improving the quality of teaching and learning across the hub. This collegiate and collaborative approach often extends beyond the MAT. A number of executive leaders from these trusts are also sharing their expertise more widely with other schools and academy chains.

All 7 MATs recognise the importance of investing in their staff’s professional development to improve both teaching and leadership. The general consensus is that ongoing coaching and regular opportunities to share good practice have a much greater impact on improving knowledge and skills than ad hoc training days or sending staff off to external conferences. The opportunities that staff members are given to expand their horizons and pursue a well-defined career path across different schools within the same trust are also good for recruitment and retention. At Ark, for example, 86% of those who joined as newly qualified teachers are still teaching within the trust 5 years later, many having progressed to middle or senior leadership positions during that time.

Each MAT’s model of governance has clear and well understood schemes of delegation and accountability. For example, ASPIRE and the First Federation took the decision to disband their local governing boards and replace them with regional boards overseeing clusters of schools, with clear reporting lines back to trust board level. At the strategic board level, all 7 MATS are able to draw on the expertise of a cadre of trustees or non-executive directors who use their range of skills and experience to monitor the overall performance of the trust closely. Board members and executive leaders make effective use of data to analyse performance, assess relative strengths and weaknesses across the network, and to identify emerging trends.

Unlike some of the academy chains, which I highlighted in my advice letter to the Secretary of State earlier this year, these strong performing trusts have resisted the temptation to expand too quickly and spread themselves too thinly across a wide geographical area. There is no sense that the executive leaders are driven by a desire to build empires. Instead, their initial focus has been on securing sustainable improvement in a smaller number of academies. Most of these leaders are working to a 3 to 4-year consolidation plan before they consider applying their trust’s model on a wider scale and across a more diverse range of schools.

While these trusts are diverse in their size, composition and geographical reach, it is clear to me that the common aspects identified by HMI – especially regarding the MATs’ strong, authoritative, visible leadership – are key factors in determining their success for all their pupils.

**Found at:** <https://www.gov.uk/government/speeches/hmcis-monthly-commentary-october-2016>

## **Appendix 9 - Analysis of Income and Expenditure in Academy Trusts, Academies and Schools in the Diocese of Nottingham (2014-15)**

### *Background*

This analysis has been prepared to support the Nottingham Roman Catholic Diocesan Education Service Strategic Plan.

The figures presented in this report are taken from income and expenditure figures set out in DfE Performance Tables for the academic year 2014-2015. DfE update the tables in March each year to reflect data from the previous academic year. Therefore 2014-2015 figures are the latest published figures.

This report should be read in conjunction with the accompanying worksheets (Filename: NRCDES2014\_2015StrategicPlan) spreadsheets providing income and expenditure data in a common format. The first worksheet (1.Current MAT) gives a summary of current MATs against their 2014-2015 data and the second worksheet (2.Proposed MAT) provides an illustration of the financial impact of the proposed model.

All 85 schools and academies are listed on the spreadsheets and all but three (marked \*) have reported a full set of figures for 12 months. The three schools marked (\*) were in the process of converting to academy status during the year and therefore did not report a full 12 months figures. These have been included with estimates of per pupil funding.

### *Academies and Schools as at 31<sup>st</sup> August 2015*

There are 85 establishments covered by the Nottingham Diocese. At the reference date there were 49 academies in a total of 11 MATs and a further 4 stand-alone academies. The largest MAT had 7 academies and the smallest comprised two. A total of 32 schools remained voluntary-aided. Set against the national context and the expectations of the National Schools Commissioner all the MATs in the Diocese of Nottingham are considered small both in terms of the number of academies in each trust and the total numbers of pupils in each trust.

The Diocese of Nottingham is characterised by a large number of small, single form entry primary schools and smaller than average secondary schools.

Academisation started in the Diocese in 2012 and has continued piecemeal since then with some trusts remaining incomplete in terms of their partner Catholic schools.

## Analysis of Total Income & Total Expenditure for Diocesan Schools and Academies 2014-2015

The total income received (which includes funds generated through business activities of the academies/schools – mostly evident in the secondary phase) in the Diocese was: **£145.8m**. The total expenditure for the same period was **£146.8m**, representing a total notional deficit of approximately **£1m**. The table below shows expenditure by category and as a % of income.

Spending In Category	Mean average % of total funding spent	Spend per category £000s
Teaching Staff	49%	71,584
Supply Staff	4%	5,530
Education Support Staff	14%	20,367
Premises including staff	7%	10,484
Back office including staff	11%	16,072
Catering including staff	1%	2,142
Other staff Costs	2%	3,343
Energy	2%	2,230
Learning (not ICT equipment)	5%	7,233
ICT learning resources	1%	1,123
Educational Consultancy	1%	1,774
Other Expenditure	10%	14,321
<b>Total Expenditure</b>		<b>145,802</b>

Analysis of the data by school and academy illustrated on the accompanying spreadsheets show that the majority of schools were reporting a surplus of income over expenditure and the majority of academies were reporting a deficit. The following factors may explain the deficits:

1. The funds provided to set up an academy to cover legal and other fees may be insufficient to cover the short to medium term costs of staff re-structuring, purchase of financial software and MIS and services required to run and co-ordinate a MAT.
2. The investment required at the outset which is designed to bring about economies of scale in the long term tends to be front loaded in the first few years of academisation with few financial benefits seen in the early years.
3. Bringing schools into MATs over an extended time period and piece meal has led to the delay in achieving economies of scale and has been a barrier to effective joint procurement.
4. During 2014-2015 the concept of top-slicing was relatively new and the majority of trusts were in the early stages of working in partnership. Many secondary academies put in place structures to manage and co-ordinate services across the trust – funding these structures from their own budgets - without those costs being covered by a top slice.

5. The establishment of central services within MATs is a relatively new development and in the absence of a central finance/HR service within a trust many academies bought back services from the local authority at inflated prices or contracted with other providers.
6. On conversion, many academies had no choice but to make use of reserves to fund maintenance and capital projects. The deficits shown for academies may be due to them having undertaken a capital project during the year. There is only one MAT in the diocese large enough to attract its own capital allocation.
7. Funding per pupil varies within the diocese and varies within each local authority area ranging from £4601 to £5673 per pupil which although is in line with national averages, does not take account of the small size of our schools and academies, meaning a greater proportion of income is spent on fixed overheads.
8. Factors specific to 2014-2015 include the increase in employer contributions to the Teachers' Pension Scheme and increases in employers National Insurance contributions which took effect part way through the year and the phasing out of the Education Services Grant.

Notes:

- a) *Further investigation would be necessary to establish the exact cause of the apparent deficits on an academy by academy basis*
- b) *The figures do not include an analysis of reserves held at each school/academy*
- c) *The figures have not been subject to a year on year analysis to identify trends*

#### *Opportunities for Income Generation*

Analysis of the data shows that some academies are generating income from other sources such as lettings, catering (using in-house catering teams) and fund raising. The total self-generated income was £1.43m, and the surplus from catering totalled £470,000 which is indicated on the spreadsheet by academy as a negative expenditure figure.

#### *Impact of Top Slice*

The current recommendation to top-slice 5% of grant income for each academy, would, in our present MAT structures (using 2014-2015 figures) generate funds in the range £257,000 - £546,000. This puts all the MATs in the beginning/starter MAT category as defined by Sir David Carter and would not allow for the funding of appropriate leadership structures and centralised services.

**Prepared by Cecilia Emery (5 October 2016)**

## Appendix 10 - Proposed 'Regional' MAT Structure

The 2014-2015 data has been grouped under county headings, creating four larger MATs, with the following exceptions:

The Priory Catholic Voluntary Academy is located in Nottinghamshire but has been grouped with Derbyshire as it is currently within the Saint Robert Lawrence Catholic Academy Trust and has strong links with Derbyshire schools and academies

The following table illustrates how funding in 2014-2015 would have been distributed had all the schools and academies within the Diocese been organised into four County based MATs and an indication of their total expenditure.

	Derbyshire	Leicestershire	Lincolnshire	Nottinghamshire
<b>Number of Primary Academies</b>	20	18	14	17
<b>Number of Secondary Academies</b>	5	4	3	4
<b>Total Pupils</b>	8175	8042	4512	8834
<b>Funding per pupil £s</b>	4606	4621	5073	4902
<b>Total Income £000</b>	38,851	38,770	23,446	44,735
<b>Total Expenditure £000</b>	37,897	39,499	23,755	45,625
<b>Income/Exp £000</b>	954	-729	-309	-890
<b>Top Slice 5% £000</b>	1,883	1,858	1,144	2,165

This model will deliver four MATs, all of which have at least 10 academies, of which at least two are secondary and have sufficient pupils in total for each MAT. In the model proposed by the National Schools Commissioner a MAT of this size is able to deliver a Chief Executive, Finance and HR Directors, Centralised Services for ICT and Estates Management, Marketing and PR and School to School Support – giving the potential to become a leading/mature MAT as described by David Carter.

The figures do not include any allowance for restructuring or for the legal and other costs associated with academy conversion, bringing existing academies into a new MAT or joining existing MATs. This together with a review of capacity and resources required centrally at NRCDES to deliver this model would need to be the subject of a separate review.

**Prepared by Cecilia Emery (5 October 2016)**

## **Appendix 11 – Teaching Schools – the 6 Core Areas**

There are 6 core areas of responsibility for teaching schools.

### **1. School-led initial teacher training**

To develop opportunities to provide school-led initial teacher training.

- leading the development of school-led initial teacher training through [School Direct](#) or by gaining accreditation as an initial teacher training provider
- taking an active role in the recruitment and selection of trainee teachers
- having a clear plan for teacher training, including:
  - access to outstanding lessons and teachers for observation and planning
  - mentoring
  - quality assurance
  - co-ordination of initial teacher training with professional development opportunities

### **2. Continuing professional development**

Offer a range of professional development opportunities for teachers and school support staff, extending the school's strong learning culture to schools in the area. These must build on initial teacher training and induction.

- identifying the best teachers and leaders from across the alliance to provide school-based professional development
- tailoring development to meet the specific needs of schools
- offering coaching and mentoring
- evaluating the impact of professional development across the alliance
- offering opportunities for formal accreditation or school-based research

### **3. Supporting other schools**

Lead the co-ordination of school-to-school support. This usually involves working with a school or academy in challenging circumstances to bring about improvement.

Identifying priorities in your area and support under-performing schools and academies. Local authorities, dioceses and chains may also work with the teaching school to support schools in need of improvement.

Ensuring that the best leaders are working to improve the quality of teaching and leadership where it is most needed.

This includes deciding how to use the services of system leaders to provide support to other schools, such as:

- middle and senior leaders working as specialist leaders of education
- headteachers working as local and national leaders of education
- chairs of governors working as national leaders of governance

#### **4. Identifying and developing leadership potential**

Develop successful succession planning strategies to identify and develop people to fill leadership positions in the future.

- developing future headteachers to help meet the most pressing national needs in primary, small rural, special, challenging urban/coastal and faith schools
- taking action to help to more women and leaders from black and minority ethnic backgrounds to become senior leaders
- putting processes in place to identify potential leaders in areas of need
- developing potential leaders within and across your schools
- building strategic governance and partnerships in order to make decisions about developing and placing potential leaders

#### **5. Specialist leaders of education**

Specialist leaders of education are outstanding middle and senior leaders. They have at least 2 years' leadership experience in a particular specialism (eg. maths, school business management, initial teacher training).

Their role is to support individuals or teams in a similar position in other schools. They help others achieve outstanding leadership in their area of specialism.

Recruiting and managing the placements of specialist leaders of education:

- identifying subject area priorities within your alliance
- setting up a panel of headteachers to assess applicants
- using eligibility criteria to select specialist leaders of education
- ensuring that the recruitment process is fair
- notifying the DfE of outcomes and confirming them to applicants
- dealing with applicant appeals
- organising training for specialist leaders of education
- negotiating specialist leader of education work
- ensuring that specialist leaders of education are providing high-quality support that is having a positive impact

#### **6. Research and development**

- building on existing research and contribute to alliance and wider priorities
- basing new initiatives on existing evidence and ensuring that they can be measured
- working with other teaching schools or nationally, where appropriate
- ensuring that staff use existing evidence
- allowing staff the time and support they need take part in research and development activities
- sharing learning from research and development work with the wider school system

**Further information:**

<https://www.gov.uk/guidance/teaching-schools-a-guide-for-potential-applicants>

## **Appendix 12 – Process and Costs of Amalgamating Catholic Academy Trusts in the Diocese of Nottingham**

### **BACKGROUND**

#### **Points to Note**

As an academy does not exist independently of the academy trust which has responsibility for it, the transfer of an academy from one trust to another involves in effect the transfer of a business (or undertaking) from one trust to another.

Where an academy is being transferred from a “single academy trust” to a different “multi academy trust”, the transferring trust will need to be wound up following the transfer. This does not happen automatically and a winding up process needs to be followed. Equally, if all the academies run by a trust are transferring, a winding up process for the transferring trust will need to be carried out.

#### **Legacy Issues and Due Diligence**

It is possible only some of the academies in a trust are transferring, in which case the transferring trust will not be wound up and the directors of that trust need to give some thought to legacy issues (i.e. liabilities that crystallize after an academy has transferred).

Where all academies are transferring, whilst there are no legacy issues for the transferring trust (or at least none that might concern the directors when the trust has been dissolved), the receiving trust will not benefit from any indemnities given by the transferring trust and a greater emphasis must be placed on due diligence prior to transfer.

Though in any situation, proper consideration should be given to due diligence (both in respect of the academies transferring and the academies who are being joined) and the practical implications of a merger, i.e. duplicate contracts, over resourcing of certain functions, conflicting policies and changes in practices as a consequence of being part of a larger (or different) group, need to be considered.

#### **Governance Review**

It is possible that the receiving trust may not yet be a “multi academy trust”, i.e. a trust capable of operating more than one academy, in which case the receiving trust must change its Articles of Association to enable it to operate more than one academy. Such a change of course would be made by the members of the academy trust, i.e. the Bishop, the Episcopal Vicar for Education, the trust chair and the original signatories to the Memorandum of Incorporation (to the extent they are still members). The change would need to be approved by the Diocesan Trustees (or more accurately Nottingham Roman Catholic Diocesan Trustees, the corporate trustee) and in most cases the Secretary of State for Education.

A structural change such as the “merger” of two trusts might also be an opportunity to review the Articles of the receiving trust to ensure they are consistent with the latest model recommended by the Catholic Education Service and to review governance more generally.

Some of the older academy trusts in the Diocese are operating with Articles of Association which reflect a different membership to that currently preferred and with boards of directors which at least in constitutional terms look more like stakeholder boards than accountable bodies, with all chairs of local governing bodies serving ex officio on the board, likewise all principals (subject to the rule of there being no more than a third who are employees).



## **Communication and Consultation**

Whilst the joining of two (or three) academy trusts may be described as a “merger”, in reality the academies from one trust will be transferring to the other trust. It is perfectly possible to establish a new academy trust to operate all academies coming together (and to wind up all the transferring trusts) but this is a more costly option, as each transfer involves a legal process (akin to that carried out when the school became an academy). The decision which academies transfer should probably be made based on the trusts with the fewest academies.

A clear and consistent communication strategy should be adopted to help manage external reactions and avoid accusations of “takeover” and dominance by any trust or any one academy. The approach may also need to be discussed carefully with the DfE where the existing arrangements involve sponsorship, though the DfE and the Regional Schools Commissioners should be able to quickly confirm sponsor status where the receiving trust has taken in “lead” schools with a proven track record for school improvement and leadership capacity.

Whilst there is no legal requirement on a transferring trust to consult when transferring an academy, it would be prudent and the EFA will expect to see that some consultation has taken place before approval will be given.

## **Authority**

The decision to transfer (and to accept the transfer of) an individual academy would normally be a decision of the respective trust board of directors. A decision to transfer all academies would need to involve the members of the transferring trust given the significance and the consequent winding up of the transferring trust.

If the academies within a transferring trust are to be transferred in phases (rather than in one go), the cash flow implications will need to be considered carefully to avoid a technical insolvency. There are no regulations dealing with the calculation of a transfer sum by a transferring trust (unlike for local authorities calculating surpluses when a maintained school converts) and if the transfer is in phases (or to different trusts though that is unlikely in this case) contractual provisions will need to be put in place to provide for how that calculation is made.

Secretary of State approval is required to both terminate an existing funding agreement for a specific academy and to enter into a new one with a new trust (i.e. the receiving trust). The entering into of the new funding agreement is what effects the transfer of the academy. It cannot happen purely as a process between two academy trusts.

A Catholic academy cannot transfer without the approval of the Bishop and the Diocesan Trustees. This is implicit given the canonical and regulatory authority of the Bishop, but also because a new “Church Supplemental Agreement” will be required acknowledging the commitment of the Diocesan Trustees to allow the receiving trust to use Diocesan land for the purposes of the academy. The same would be true for any religious order school where the Trustees would need to approve of the new arrangements.

Local Authority consent will only be required where the transferring trust has the benefit of a lease from the LA (i.e. where the VA school had the benefit of playing fields owned by the LA) and that lease prohibits assignment without landlord consent. Leases granted since 2014 contain a freedom to assign without consent to a statutory successor to the academy trust (which the receiving trust would be).

## **LEGAL PROCESS**

**Steps** (please see below)

The table below sets out the legal steps that need to be taken and the implications for the Diocese of Nottingham.

	<b>Step</b>	<b>Implication</b>
1	Transferring Trust Board and Receiving Trust Board agree in principle to merge and notify Nottingham Roman Catholic Diocesan Education Service (NRCDES).	Bishop and Trustees approval to be obtained, unless the decision has been made following a request (or recommendation) by the Bishop.
2	Community consultation undertaken (6 week period preferable). Initial exploratory discussions take place with RSC.	Joint approach by Trusts and NRCDES to RSC. Parties seek to identify and agree shared vision and educational benefits.
3	Due diligence carried out on both sides. Consideration given to areas of overlap and risk. Review governance if appropriate and any necessary changes to the Articles of Association of the Receiving Trust. Consider any transitional arrangements (impact on leadership, governance, school support).	Due diligence to be shared with NRCDES. NRCDES advise on governance and approve of any significant changes to either the extent of any delegated authority and proposed changes to Foundation Directors and/or Foundation Governors.  Bishop and Trustees approval required to any change to the Articles of Association.
4	Submission of business case and approval to “significant change” to be submitted by both Trusts to EFA.	Evidence of Diocesan approval to be included in papers submitted to EFA.
5	EFA and RSC approval obtained.	NRCDES support process.
6	Receiving Trust send TUPE “measures letter” to Transferring Trust notifying of any measures and/or implications of the transfer of undertaking (NB Receiving Trust must consider impact on existing staff as well as implications for transferring staff).	NRCDES to be notified.
7	Transferring Trust write to staff representatives (Unions) advising them of the transfer and the measures/implications and organise a meeting with staff and Unions – formal TUPE consultation commences when letter sent to staff representatives (allow minimum of 3 weeks and	NRCDES to support TUPE meetings.

	preferably 6 weeks for consultation, longer will be needed if the transfer is to result in measures).	
8	Review and report on land arrangements to EFA. Request LA consent to assignment of any 125 year lease.	It is not anticipated that there would be any difficulties in investigating title or in the title itself, but any unresolved issues from conversion would need to be addressed.
9	Submission of draft Deeds of Variation of the Supplemental Funding Agreements and Church Supplemental Agreements to EFA for clearance and once approved for completion. EFA to approve of any changes to the Articles, if needed.	The Bishop and the Corporate Trustee will be a party to the Deeds of Variation of the Church Supplemental Agreement.
10	Receiving Trust carry out practical steps such as opening new bank accounts, extending the insurance cover and ensuring any central contracts will cover the transferring academies.	NRCDES to monitor.
11	Transferring Trust and Receiving Trust enter into a Transfer Agreement, transferring all contracts and liabilities to the Receiving Trust. The Transfer Agreement will deal with agreement of the transfer balances.	NRCDES to monitor. The advice of accountants may be needed.
12	Completion of transfer (and all documents giving effect to the transfer) and adoption of any new governance arrangements.	A special resolution of the Members of the Receiving Trust is needed to adopt the new Articles.
13	Redundant Transferring Trust to be wound up and application made to Companies House to strike off the Trust from the register of companies.	The Members must wait 3 months after the transfer before applying to Companies House.

## **Timetable and Cost**

The EFA do not operate a rigid timetable for academy transfers and once approval is given a transfer can take place in as little as 3 – 4 weeks if TUPE consultation has already commenced.

A sensible plan for achieving a number of transfers at the same time from start to finish (ignoring the wind up stage) is 6 months.

There are no grants available for voluntary applications to merge trusts/transfer academies.

A sensible budget for legal costs is £4,000 plus VAT per academy, with costs generally being incurred by the receiving trust. If the transferring trust is also to be separately represented there will be additional legal fees. It would be normal for the same law firm to advise both the receiving trust and the Diocese, but if this were not the case then again additional legal fees would be incurred.

There may be savings if more are done at the same time and all academies are transferring out. Accountant's fees may be needed to support the calculation of the transfer balances. The cost for winding up a trust is £750 plus VAT if there are no complications after transfer. If external support is required to assist with due diligence and "back office" preparations, again there will be additional costs.

For more information, please contact:

### **Andrea Squires**

Partner  
Winckworth Sherwood

## Appendix 13 – The Situation in Other Catholic Dioceses

The following information is available at present on the developments taking place in other Catholic dioceses in England.

<i>Diocese</i>	<i>No of schools</i>	<i>Actions</i>
<i>Arundel &amp; Brighton</i>	65	Will develop 5 MATs over time. First one opened in September 2016 (9 schools).
<i>Birmingham</i>	238	Now considering expanding current MACs. Currently have 17 MACs.
<i>Brentwood</i>	83	Very few academies at present. A new Director has been appointed – have begun meetings about academy conversion.
<i>Clifton</i>	63	No MATs at present.
<i>East Anglia</i>	25	1 MAT at present.
<i>Hallam</i>	47	Around half of all schools are academies (SATs).
<i>Hexham &amp; Newcastle</i>	159	Consulting on 2 options at present. 5 large MATs or 3 large MATs. CEO (or equivalent) for each.
<i>Lancaster</i>	82	1 MAT at present. Now advertising for an ‘academy conversion officer’.
<i>Leeds</i>	93	Diocesan model of 5 MATs with 4 established and one further MAT will be established later this year.
<i>Liverpool</i>	222	No MATs at present.
<i>Middlesbrough</i>	54	A number of small MATs at present. Consultation at present about enlarging MATs and introducing new governance systems including CEO (or equivalent) for each. Will create 3 large MATs.
<i>Northampton</i>	42	All schools will become academies by 2018.
<i>Plymouth</i>	38	All schools in one large umbrella trust – CAST.
<i>Portsmouth</i>	56	4 MATs will be created. All schools will become academies. MATs range from 8 to 17 schools.
<i>Salford</i>	199	Now considering academisation of whole diocese. Will create 12 ‘geographical MATs’.
<i>Shrewsbury</i>	106	6 MATs at present.
<i>Southwark</i>	160	2 MATs at present. Kent Catholic Schools’ Partnership (22 academies).
<i>Westminster</i>	195	Very few academies at present. Consulting over academisation across the whole diocese. Policy now produced.

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